

PB# 93-2

Benedict Pond II

65-1-51.2 & 56.2

P.B. #93-Z

Benedict Pond II
Dean Hill & Mt. Aiey Rd

Subdivision
(Tarolli)

TOWN OF NEW WINDSOR
PLANNING BOARD
APPROVED COPY
DATE: 9-10-02

TOWN OF NEW WINDSOR 555 Union Avenue New Windsor, NY 12550		GENERAL RECEIPT		13077												
Received of <u>OMAT, Inc.</u>		<u>Jan 6</u> 19 <u>93</u>		\$ <u>150.00</u>												
<u>One Hundred fifty</u>		<u>00</u>		DOLLARS												
For <u>P.B. # 93-2 Application Fee</u>		<u>100</u>														
DISTRIBUTION:																
<table border="1"> <thead> <tr> <th>FUND</th> <th>CODE</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>CR# 1189</td> <td></td> <td>150.00</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	FUND	CODE	AMOUNT	CR# 1189		150.00							By <u>Pauline V. Townsend</u> <u>Town Clerk</u> Title			
FUND	CODE	AMOUNT														
CR# 1189		150.00														

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TOWN OF NEW WINDSOR 555 Union Avenue New Windsor, NY 12550		GENERAL RECEIPT		13076												
Received of <u>Town Clerk</u>		<u>Jan 6</u> 19 <u>93</u>		\$ <u>975.00</u>												
<u>nine Hundred Seventy-five</u>		<u>00</u>		DOLLARS												
For <u>P.B. # 93-2 Screw OMAT, Inc.</u>		<u>100</u>														
DISTRIBUTION: <u>Benedict Pond II</u>																
<table border="1"> <thead> <tr> <th>FUND</th> <th>CODE</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>CR 1190</td> <td></td> <td>375.00</td> </tr> <tr> <td>CR 1191</td> <td></td> <td>600.00</td> </tr> <tr> <td></td> <td></td> <td>975.00</td> </tr> </tbody> </table>	FUND	CODE	AMOUNT	CR 1190		375.00	CR 1191		600.00			975.00	By <u>Jusan Zappala</u> <u>Deputy Comptroller</u> Title			
FUND	CODE	AMOUNT														
CR 1190		375.00														
CR 1191		600.00														
		975.00														

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8/12/02 No Cost estimate Necessary
as per Mark.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/10/2002

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LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 93-2

NAME: BENEDICT POND ESTATES - II

APPLICANT: SDL DEVELOPMENT CORP.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
09/10/2002	PLANS STAMPED	APPROVED
01/23/2002	P.B. APPEARANCE -PUB HEARING	ND:CLOSE PH APP COND
	. NO PUBLIC COMMENT - SALE OF LAND TO BE COMPLETED BEFORE . APPROVAL STAMP - ADDRESS CAMO'S COMMENTS - ADDRESS MARK'S . COMMENTS.	
12/12/2001	P.B. APPEARANCE	LA: WVE PH RET
02/03/1999	WORK SESSION APPEARANCE	DISCUSSED PROGRESS
06/17/1998	WORK SESSION APPEARANCE	RETURN TO W.S.
05/14/1997	WORK SESSION APPEARANCE	GENERAL QUESTIONS
02/02/1995	WORK SESSION APPEARANCE	REVISE & RET. TO WS
01/13/1993	P.B. APPEARANCE	TO RETURN/NEW PLANS
12/01/1992	WORK SESSION APPEARANCE	SUBMIT APPLICATION
11/03/1992	WORK SESSION APPEARANCE	REVISE & RET. TO W.S
05/05/1992	WORK SESSION APPEARANCE	RETURN TO W.S.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/10/2002

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LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 93-2

NAME: BENEDICT POND ESTATES - II
APPLICANT: SDL DEVELOPMENT CORP.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	12/13/2001	EAF SUBMITTED	/ /	
ORIG	12/13/2001	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	12/13/2001	LEAD AGENCY DECLARED	12/12/2001	TOOK LA
ORIG	12/13/2001	DECLARATION (POS/NEG)	01/23/2002	DECL NEG DEC
ORIG	12/13/2001	SCHEDULE PUBLIC HEARING	12/12/2001	SCHED PH
ORIG	12/13/2001	PUBLIC HEARING HELD	01/23/2002	CLOSED PH
ORIG	12/13/2001	WAIVE PUBLIC HEARING	/ /	
ORIG	12/13/2001	AGRICULTURAL NOTICES	/ /	
ORIG	12/13/2001	BUILDING DEPT REFER NUMBER	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/29/2002

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LISTING OF PLANNING BOARD FEES
RECREATION

FOR PROJECT NUMBER: 93-2

NAME: BENEDICT POND ESTATES - II

APPLICANT: SDL DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/19/2002	FEE (6) LOTS @ 1,500.00EA	CHG	9000.00		
08/20/2002	REC. CK. #2120	PAID		9000.00	
		TOTAL:	9000.00	9000.00	0.00



Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#770-2002

08/29/2002

SdI Development Corp. [#]93-2

Received \$ 385.00 for Planning Board Fees on 08/29/2002. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/29/2002

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LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 93-2
NAME: BENEDICT POND ESTATES - II
APPLICANT: SDL DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/19/2002	SUB. APPROVAL FEE - 7 LOT	CHG	385.00		
08/29/2002	REC. CK. #2119	PAID		385.00	
		TOTAL:	385.00	385.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/29/2002

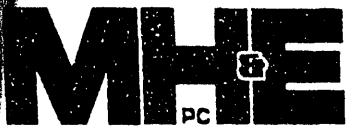
PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 93-2
NAME: BENEDICT POND ESTATES - II
APPLICANT: SDL DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/06/1993	9 LOT ESCROW	PAID		975.00	
01/13/1993	P.B. ATTY FEE	CHG	35.00		
01/13/1993	P.B. MINUTES	CHG	108.00		
12/12/2001	P.B. ATTY FEE	CHG	35.00		
12/12/2001	P.B. MINUTES	CHG	27.00		
01/23/2002	P.B. ATTY. FEE	CHG	35.00		
01/23/2002	P.B. MINUTES	CHG	22.50		
08/19/2002	P.B. ENGINEER FEE	CHG	575.80		
08/29/2002	RET. TO APPLICANT	CHG	136.70		
		TOTAL:	975.00	975.00	0.00

L.R. 8/29/02



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

☐ Main Office
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@att.net

☐ Regional Office
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@ptd.net

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN / VILLAGE OF: New Windsor

P/B APP. NO.: 93 - 2

WORK SESSION DATE: 7 Aug 02

PROJECT: NEW OLD X

REAPPEARANCE AT W/S REQUESTED: NO

RESUB. REQ'D: ~~YES~~ NO

PROJECT NAME: Benedict Pond

REPRESENTATIVES PRESENT: Fred Larry

MUNICIPAL REPS PRESENT:

BLDG INSP.	<u> </u>
ENGINEER	<u>X</u>
P/B CHMN	<u> </u>

FIRE INSP. Bob

PLANNER	<u> </u>
OTHER	<u> </u>

ITEMS DISCUSSED:

- OC DON approval 5/20/02
- no DEC lateral only
- got outside users from T/B
- closed on land w/ town
- MJE has final pb - review for stamp.

STND CHECKLIST:

DRAINAGE

DUMPSTER

SCREENING

LIGHTING

(Streetlights)

LANDSCAPING

BLACKTOP

ROADWAYS

MJE to review.

no P/I

Myra I will call you



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

August 19, 2002

Mercurio-Norton-Tarolli, LS
P.O. Box 166
Pine Bush, NY 12566

ATTN: John Tarolli

SUBJECT: BENEDICT POND SUBDIVISION (#93-2)
SDL DEVELOPMENT (FRED LARY)

Dear John:

Please find attached printouts of fees due for subject subdivision. There is a small balance remaining in the escrow account that will be returned to the applicant.

Please contact Fred Lary and ask that he submit payment in two separate checks, payable to the Town of New Windsor, as follows:

Check #1 - Approval Fee.....\$ 385.00

Check #2 - Recreation Fee (6) lots @ \$1,500.00 ea.....\$ 9,000.00

Upon receipt of these checks and ten (10) sets of plans with mylar, I will have them stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,

Myra L. Mason
Myra L. Mason, Secretary To The
NEW WINDSOR PLANNING BOARD

MLM

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/19/2002

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LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 93-2

NAME: BENEDICT POND ESTATES - II

APPLICANT: SDL DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/19/2002	SUB. APPROVAL FEE - 7 LOT	CHG	385.00		
			-----	-----	-----
		TOTAL:	385.00	0.00	385.00

Check #1

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/19/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
RECREATION

FOR PROJECT NUMBER: 93-2

NAME: BENEDICT POND ESTATES - II

APPLICANT: SDL DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/19/2002	FEE (6) LOTS @ 1,500.00EA	CHG	9000.00		
			-----	-----	-----
		TOTAL:	9000.00	0.00	9000.00

Check #2

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/19/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 93-2

NAME: BENEDICT POND ESTATES - II
APPLICANT: SDL DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/06/1993	9 LOT ESCROW	PAID		975.00	
01/13/1993	P.B. ATTY FEE	CHG	35.00		
01/13/1993	P.B. MINUTES	CHG	108.00		
12/12/2001	P.B. ATTY FEE	CHG	35.00		
12/12/2001	P.B. MINUTES	CHG	0.00		
01/23/2002	P.B. ATTY. FEE	CHG	35.00		
01/23/2002	P.B. MINUTES	CHG	22.50		
08/19/2002	P.B. ENGINEER FEE	CHG	575.80		
		TOTAL:	811.30	975.00	-163.70

*To be returned
to applicant.*

ORANGE COUNTY DEPARTMENT OF HEALTH
Division of Environmental Health

CERTIFICATE OF APPROVAL OF REALTY SUBDIVISION PLANS

TO: Mr. Fred Lary, V.P.
SDL Development Corp.
54 Bay Crest
Huntington, NY 11743

The Orange County Department of Health certifies that a realty subdivision map entitled Benedict Pond Estates II, dated October 1992, latest revision May 16, 2002, located in the Town of New Windsor showing plans for providing satisfactory and adequate water supply and sewage facilities for said subdivision have been filed with and approved by the Department on this date pursuant to Article II of the Public Health Law.

The following information was furnished in the application for approval of plans:

Total area: 8.009± acres Number of lots: 7

Water supply: T. New Windsor W.D. 13

Sewage disposal: T. New Windsor S.D. 19

The owner intends to build on some lots and sell other lots without buildings.

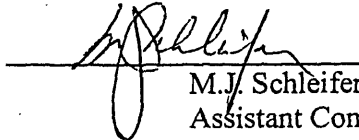
Approval of the proposed water supply and sewage facilities is granted subject to the following conditions:

1. **THAT** the proposed facilities are installed in conformity with said plans.
2. **THAT** no lot or remaining lands shall be subdivided without plans for such resubdivision being filed with and approved by the Orange County Department of Health.
3. **THAT** the purchaser of a lot sold without water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and shall be notified of the necessity of installing such facilities in accordance with the approved plans.
4. **THAT** the purchaser of a lot sold with water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and an accurate as-built plan depicting all installed sanitary facilities.

5. **THAT** plan approval is limited to 5 years. Time extensions for plan approval may be granted by the Orange County Department of Health based upon development facts and the realty subdivision regulations in effect at that time. A new plan submission may be required to obtain a time extension.
6. **THAT** the approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.

May 20, 2002

Date

 **P.E.**
M.J. Schleifer, P.E.
Assistant Commissioner

subapproval

8-19-02

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MAJOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 100.00

ESCROW:

RESIDENTIAL:

___ LOTS @ 150.00 (FIRST 4 LOTS).....\$
___ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$

COMMERCIAL:

___ LOTS @ 400.00 (FIRST 4 LOTS).....\$
___ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$

TOTAL ESCROW DUE....\$

APPROVAL FEES MAJOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 100.00
PRELIMINARY PLAT APPROVAL (150.00 OR 15.00/LOT).....\$ 150.00
FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 135.00
FINAL PLAT SECTION FEE.....\$ 100.00
BULK LAND TRANSFER...(\$100.00).....\$

TOTAL SUBDIVISION APPROVAL FEES.....\$ 385.00

RECREATION FEES:

6 LOTS @ \$1,500.00 PER LOT.....\$ 9000.00

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$
PLANNING BOARD ATTORNEY FEES.....\$
MINUTES OF MEETINGS.....\$
OTHER.....\$

PERFORMANCE BOND AMOUNT.....\$

4% OF ABOVE AMOUNT.....\$

ESTIMATE OF PRIVATE IMPROVEMENTS: \$

2% OF APPROVED COST ESTIMATE\$

None - Per Mark

AS OF: 08/19/2002

PAGE: 2

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 93- 2

FOR WORK DONE PRIOR TO: 08/19/2002

										-----DOLLARS-----			
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE		
.....													
93-2	215987	08/07/02	TIME	NJE	WS BENEDICT SUB - LARY	88.00	0.40	35.20					
93-2	216650	08/12/02	TIME	NJE	MC SDL CLOSEOUT	88.00	0.50	44.00					
								=====	=====	=====	=====		
TASK TOTAL								575.80	0.00	-496.60	79.20		
.....													
								=====	=====	=====	=====		
GRAND TOTAL								575.80	0.00	-496.60	79.20		

TOTAL P.03

AS OF: 08/19/2002

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CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 93- 2

FOR WORK DONE PRIOR TO: 08/19/2002

										-----DOLLARS-----		
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE	
93-2	168454	02/22/01	TIME	MJE	WS OMAT	85.00	0.40	34.00				
93-2	170417	02/28/01			BILL 01-340 3/27/01					-34.00		
93-2	176447	06/20/01	TIME	MJE	WS OMAT PROSP NEW OWNER	85.00	0.40	34.00				
93-2	177115	06/27/01	TIME	MJE	MC COORD FLD MTG W/FRED	85.00	0.30	25.50				
93-2	177119	06/28/01	TIME	MJE	FM MTG ON DEAN HL HK/FL	85.00	1.00	85.00				
93-2	178048	07/09/01	TIME	MJE	MC DEAN HILL RE OMAT IM	85.00	0.50	42.50				
93-2	181798	09/05/01	TIME	MJE	WS BENEDICT POND	85.00	0.40	34.00				
93-2	184209	10/03/01	TIME	MJE	MC TC/TAROLI	85.00	0.30	25.50				
93-2	185589	10/25/01			BILL 01-984					-246.50		
93-2	189068	12/06/01	TIME	MJE	PM BENEDICT II SUB	85.00	0.80	68.00				
93-2	189091	12/12/01	TIME	MJE	MC BENEDICT SUB II	85.00	0.50	42.50				
93-2	190684	12/31/01			BILL 02-202 1/17/02					-110.50		
93-2	192118	01/23/02	TIME	MJE	MC BENEDICT POND SUB	88.00	0.50	44.00				
93-2	192122	01/23/02	TIME	MJE	MC BENEDICT W/KROLL	88.00	0.30	26.40				
93-2	192776	01/23/02	TIME	MJE	MM BENEDICT Cond Appl	88.00	0.10	8.80				
93-2	195501	02/25/02			BILL 02-323 2/25/02					-79.20		
93-2	205271	05/08/02	TIME	MJE	MC SDL B/P ISSUE	88.00	0.30	26.40				
93-2	206926	05/30/02			BILL 02-663					-26.40		

PUBLIC Hearing
RESULTS OF P.B. MEETING OF: January 23 2002

PROJECT: Benedict Pond II Sub. P.B.# 93-2

LEAD AGENCY:

1. AUTHORIZE COORD LETTER: Y___N___
2. TAKE LEAD AGENCY: Y___N___

NEGATIVE DEC:

M) A S) B VOTE: A 5 N 0
CARRIED: YES ☒ NO ___

M) ___ S) ___ VOTE: A ___ N ___
CARRIED: YES ___ NO ___

Close
WAIVE PUBLIC HEARING: M) A S) LN VOTE: A 5 N 0 Closed
WAIVED: Y ☒ N ___

SCHEDULE P.H. Y___N___

SEND TO O.C. PLANNING: Y___

SEND TO DEPT. OF TRANSPORTATION: Y___

REFER TO Z.B.A.: M) ___ S) ___ VOTE: A ___ N ___

RETURN TO WORK SHOP: YES ___ NO ___

APPROVAL:

M) ___ S) ___ VOTE: A ___ N ___ APPROVED: _____
M) LN S) A VOTE: A 5 N 0 APPROVED CONDITIONALLY: 1-23-02

NEED NEW PLANS: Y___N___

DISCUSSION/APPROVAL CONDITIONS:

<u>No Public Comment</u>
<u>Sale of land to be completed first.</u>
<u>Address Camo's comments</u>
<u>Address Mark's Comments</u>

PUBLIC HEARING:

BENEDICT POND ESTATES II SUBDIVISION (93-2)

MR. PETRO: Someone here to represent that? This is a proposed 7 lot residential subdivision. This application involves subdivision of the existing parcels into 7 single family residential lots. This plan was previously reviewed at the 13 January, 1993 meeting--who says we don't move things along--and 12 December, 2001 planning board meetings. It's before the board tonight for a public hearing, R-3 zone, R-3 would be a permitted use, okay.

Mr. William Norton appeared before the board for this proposal.

MR. PETRO: All set?

MR. NORTON: This is a continuation of the last meeting where we have addressed the engineer's comments. Some of the changes were renumbering the lots, we showed a second sheet with doubling the scale for detail for the purposes of indicating where the easements and tax I.D. parcels would be and all the comments have been addressed.

(Whereupon, Mr. Karnavezos entered the room.)

MR. PETRO: Okay, what we'll do is do any members have anything to say or just open it up to the public and we'll come back because we have reviewed it a number of times already. January 2, 2002, 24 addressed envelopes were sent out. At this time, someone would like to speak on behalf of this application or against, please be recognized by the Chair, come forward, not the big guy in the back, looks like trouble. Would anybody like to speak? All right, let the minutes reflect no one is here to speak for or against, so motion to close the public hearing.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: I certainly earned my money with those two, didn't have to say anything. Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Benedict Pond Estates II subdivision on Dean Hill Road. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LANDER	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. PETRO: At this time, I will open it up back to the board for any further comment. Mark, why don't you just take us through a couple of housekeeping notes and then we'll do motion for negative dec and we have to remind the applicant that you have to get the 911 numbering done.

MR. EDSALL: As you noted, the comment 5 regarding the lead agency, taking a negative dec seems to be the only procedural step left. Under comment 2, there's some minor corrections that need to be made, two items that require action from outside this board is completion of the reallocation agreement for sewer, might even be complete, we just need to condition final that before the plan is stamped and secondly, this project is based on a line adjustment or a sale of land that the town attorney is working on with the applicant as well so that would need to be resolved. As you said, the 911 numbers are again just something that needs to be added. Other than that, they're done.

MR. PETRO: Part of the highway approval here I have subject to land transfer completed.

MR. NORTON: Yes.

MR. PETRO: So that would be a subject to obviously, on the sewer, no cleanouts on sewer laterals for lots 1 and 2, cleanouts should be as close as practical to the house wall and at least everyone hundred feet

thereafter. I'm not going to hold that up, I'm going to assume that's an approval but you're going to have to satisfy the sewer department when you do the building. Understand what I'm saying on that?

MR. NORTON: Not really, if I can get a copy of that comment.

MR. PETRO: Well, it would come as part of your completion for the sewer when you get a permit, you're going to have to build it to their specs. He's mentioning that, to me, I'm not sure, unless he wanted it on the plan to show the cleanouts, I don't think we normally do that so we'll just let it go that you can get your sewer permit, build it to their specs, once they give you the okay, that's fine with us.

MR. NORTON: Okay.

MR. PETRO: We have highway approval or fire approval on 1/2/2002. Motion for negative dec?

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Benedict Pond Estates II subdivision. Any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LANDER	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. LANDER: Can you just answer me for lot number 7, can you just outline, this is lot number 7 from Riley Road in and then down through here?

MR. NORTON: They own the title to both road beds.

MR. LANDER: So they're going to convey those over to the town, is that it?

MR. EDSALL: They're both private.

MR. LANDER: I have a note about lot number 7 having access to Birch.

MR. NORTON: That's where they're going to take the access from the end of the paved surface on Birch is going to continue as a driveway into the lot.

MR. LANDER: So Ash Street which is right here from the center line to Ash Street, they're going to convey that portion over to the town?

MR. NORTON: I didn't think they were going to convey it, Don Mirro was supposed to be talking with the town attorney in regards to the right-of-way over those two roads.

MR. LANDER: P. P. Belle, that's how he's going to get his road frontage, this lot right here?

MR. NORTON: That's how he has his road frontage, that's not something we created for this subdivision.

MR. LANDER: But you did create lot number 7.

MR. NORTON: Yes and that sheet with the detail shows the proposed driveway with the house.

MR. LANDER: I saw a note somewhere saying that.

MR. NORTON: Okay.

MR. EDSALL: Just so you know, the town sewer currently has a sewer easement up the roads they're work on, an easement that covers a water line, but I don't think there's an indication that they want to take the roads, I think they want them to remain private roads, just get the necessary utility easements.

MR. LANDER: I see Lot 7 owns both of these roads, I

know the other ones are serviced off Dean Hill
but--okay.

MR. PETRO: Any members with any comments? Mark, what
subject-to's, why don't you read it?

MR. EDSALL: Why don't you make it subject to my
comments?

MR. PETRO: Because it's basically between you and the
attorney at this point, we're pretty much out of the
loop. Motion for final approval?

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the
New Windsor Planning Board grant final approval to the
Benedict Pond Estates II subdivision on Hill Road
subject to Mark's comments of January 23, 2002. Is
there any further discussion from the board members?
If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LANDER	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. PETRO: Thank you for coming in.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: BENEDICT POND ESTATES MAJOR SUBDIVISION – PHASE II
PROJECT LOCATION: DEAN HILL ROAD
SECTION 65 – BLOCK 1 – LOTS 51.2 & 56.2
PROJECT NUMBER: 93-2
DATE: 23 JANUARY 2002
DESCRIPTION: THIS APPLICATION INVOLVES THE SUBDIVISION OF THE
EXISTING PARCELS INTO 7 SINGLE-FAMILY RESIDENTIAL LOTS.
THE PLAN WAS PREVIOUSLY REVIEWED AT THE 13 JANUARY
1993 AND 12 DECEMBER 2001 PLANNING BOARD MEETINGS,
AND IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS
MEETING.

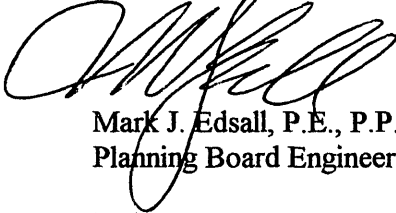
1. This project is located in the R-3 zone, and involves several tax parcels under common ownership. Seven lots are proposed, and each appears to comply with the minimum bulk requirements applicable to the application at the time of submission (this application is “grand-fathered” relative to lot area requirements).

The configuration of the lots of this revised plan reflects a significant improvement, since the road realignment has occurred for Dean Hill Road. The Board should note that the actual construction has occurred and the physical road exists to now serve this subdivision.

2. The applicant’s representative has made all revisions requested on the plans. Related issues which must be finalized are as follows:
 - a) The location/identification of the individual tax parcels has been clarified on this latest plan. The plan notes two (2) tax parcels are involved, rather than the four (4) parcels noted in the application. The application should be updated with the new owners name (etc) and correct lot information.
 - b) One of the proposed lots proposes access to Birch Drive, a private road. The applicant was requested to provide documentation to the Planning Board attorney relative to rights for use, and existence of a maintenance agreement for the road.

3. The subdivision previously received a sewer reallocation approval and outside user approval from the Town. This should be finalized with the Town Attorney. A reallocation of 350 gpd per lot is required.
4. As previously noted, this application also involves a sale of excess property from the Town to the applicant (resultant from the realignment of Dean Hill Road). The applicant has provided all requested information and mapping, and the matter has been referred to the Town Attorney at this time.
5. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.
6. As per the 911 Policy of the Town, this project will require the assignment of a street address numbering as part of the final plan. Please coordinate with the Fire Inspector.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW93-02-23Jan02.doc

CORRESPONDENCE

SDL DEVELOPMENT CORP. (BENEDICT POND SUBDIVISION)
(93-20)

MR. PETRO: I respectfully request that you consider issuing a building permit for one model home for the 7 lot subdivision known as Benedict Ponds Estate II. As I am sure you're aware, we're in the final stages of the process and hope to be completed within a few months. I understand that no C.O. will be issued until the map is filed and all conditions are met. Thank you for your consideration in this matter. Frederick Lary, L-A-R-Y.

MR. EDSALL: Mr. Chairman, Mike and I have discussed the request and just for the record, Mr. Lary has been working very cooperatively with the town on the purchase of a piece of excess town property and worked with us, cooperated, relative to the town paving Dean Hill Road and finishing what this board started probably 20 years ago, which is try and straighten out Dean Hill Road. So he's been very cooperative and I would, based on Mike and I reviewing the matter, we would suggest that you approve it, but subject to verification of the availability of connections for the utilities, we're just not, we want to make sure that the water and sewer are available for tie-in, that there's no restrictions.

MR. LANDER: When is he going to file the map?

MR. BABCOCK: He's in the process of doing, the bonds, and I understood from Myra--

MR. EDSALL: What's happening also is because the final plan is contingent upon the sale of properties with the town from the town to him, that process is still ongoing as well.

MR. LANDER: Is this normal?

MR. EDSALL: Is what normal?

MR. BABCOCK: If he had came to me and asked for a

building permit before he started the subdivision approval, he would have one right now.

MR. LANDER: He can build one house.

MR. BABCOCK: Since he started the process and there's some sewer and water connections and property changes from the town, straightening roads out, I thought it would be best that he comes here.

MR. EDSALL: Obviously, the one house cannot be placed so that it's on the lands that have not been transferred from the town, has to be placed on lands he already owns so if the subdivision never went through, he's got one building on his property.

MR. PETRO: You look ten years younger. You guys handle it, I don't think we have any problem with it.

MR. EDSALL: Okay.

MR. PETRO: Motion to adjourn.

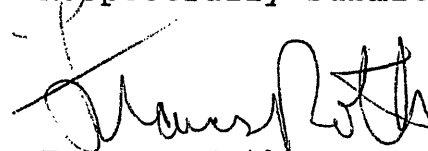
MR. ARGENIO: So moved.

MR. LANDER: Second it.

ROLL CALL

MR. ARGENIO	AYE
MR. LANDER	AYE
MR. PETRO	AYE

Respectfully Submitted By:



Frances Roth
Stenographer

TRB

**ORANGE COUNTY DEPARTMENT OF HEALTH
Division of Environmental Health**

CERTIFICATE OF APPROVAL OF REALTY SUBDIVISION PLANS

**TO: Mr. Fred Lary, V.P.
SDL Development Corp.
54 Bay Crest
Huntington, NY 11743**

The Orange County Department of Health certifies that a realty subdivision map entitled Benedict Pond Estates II, dated October 1992, latest revision May 16, 2002, located in the Town of New Windsor showing plans for providing satisfactory and adequate water supply and sewage facilities for said subdivision have been filed with and approved by the Department on this date pursuant to Article II of the Public Health Law.

The following information was furnished in the application for approval of plans:

Total area: 8.009± acres Number of lots: 7

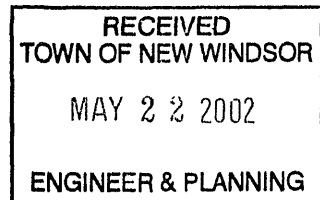
Water supply: T. New Windsor W.D. 13

Sewage disposal: T. New Windsor S.D. 19

The owner intends to build on some lots and sell other lots without buildings.

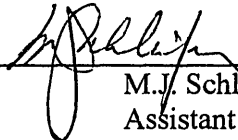
Approval of the proposed water supply and sewage facilities is granted subject to the following conditions:

1. **THAT** the proposed facilities are installed in conformity with said plans.
2. **THAT** no lot or remaining lands shall be subdivided without plans for such resubdivision being filed with and approved by the Orange County Department of Health.
3. **THAT** the purchaser of a lot sold without water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and shall be notified of the necessity of installing such facilities in accordance with the approved plans.
4. **THAT** the purchaser of a lot sold with water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and an accurate as-built plan depicting all installed sanitary facilities.



5. **THAT** plan approval is limited to 5 years. Time extensions for plan approval may be granted by the Orange County Department of Health based upon development facts and the realty subdivision regulations in effect at that time. A new plan submission may be required to obtain a time extension.
6. **THAT** the approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.

May 20, 2002
Date

_____, P.E.
M.J. Schleifer, P.E.
Assistant Commissioner

subapproval

REGULAR ITEMS:

BENEDICT POND ESTATES II SUBDIVISION (93-2)

MR. PETRO: Seven lot residential subdivision.

Mr. Bill Norton appeared before the board for this proposal.

MR. PETRO: It has been the subject of numerous work sessions and conferences over the last eight years.

MR. LANDER: Why would that be?

MR. PETRO: For 7 lots, I'm not sure, I think it's changed hands.

MR. NORTON: Yes, it's recently changed hands and one of the reasons we're in, its actually the same layout that we had last time we were in with the 7 lots, but since then, the road has been relocated. The original road has been changed to some degree and upon its relocation, here's the old road, follow this roadbed here now the new paved road goes along here.

MR. PETRO: So increase the size of 3 of the lots?

MR. NORTON: Town currently is in the process of buying this parcel of land with this chunk being conveyed to my client and this chunk to these people so it's basically the same layout, except extending our lot lines with that parcel of land out to Dean Hill Road.

MR. PETRO: Now, has it changed the sight distance from the roads? Obviously looks like it made it better.

MR. NORTON: Sight distance is really good.

MR. PETRO: All right, Mark, you have a lot of comments, why don't you start us off so we don't go through everything, just whatever you feel we need to accomplish with the board.

MR. EDSALL: I don't know that it's necessary that I go

through all the comments, except to say two things. One, the long period of time that the application was dormant before the board is not a reflection on the acceptability of the subdivision, it's because Dean Hill Road didn't exist in front of the land and there was no way for you to review it. With some good cooperation between what used to be known as Shannon Acres and this new project owner, we have been able to work out an arrangement to have all of Dean Hill Road reconstructed, realigned, we're going through some land transfers now so there's access to all the lots. It's a good story of cooperation between two applicants and the town. It's not a bad thing that they've been away, just unfortunate because the road didn't exist. All my comments are ones that are intended to help them finish the plan. The only action that we really need to take tonight are procedural issues such as authorize the public hearing which is necessary and I believe we need to affirm lead agency.

MR. PETRO: Motion for lead agency.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Benedict Pond Estates. Is there any further discussion? If not, roll call.

ROLL CALL

MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: He wants the lots changed, numbers, also.

MR. NORTON: That's not a problem.

MR. PETRO: Do you have a copy of Mark's comments?

MR. NORTON: Yes. The only comment I see there we may need a waiver on is on page 2 item number 2 Sub E, it says both gross and net lot area shall be provided in bulk tables, since easements are subtracted from the lot area in Town Code, there's a 45 foot wide sewer and water easement that we have reserved to the town to cover the existing water and sewer line that followed the old roadway and that may pose a problem with the gross area, gross couple of lots there.

MR. PETRO: Are these lots served by water and sewer?

MR. NORTON: Yes.

MR. PETRO: I don't think it would be at the old zoning would be half acre lot, you have 48,000 feet, 40,000 feet doesn't seem like there'd be a problem, why don't you do it mathematically and we'll go from there. How wide is it, 40 foot easement, and the lots 100 foot wide, so it's 4,000 feet, I can't even see it coming down close. Do you follow what I'm saying? Because you're still under the old grandfather for the zoning which would be half acre lot.

MR. EDSALL: Just to clarify for the record, I had wanted to talk to you about that when they made their first application, they did not have water, that's why it shows 32,670, so in your review, it would be acceptable to show the zoning that was in place at the time of the application, taking into account the water which makes that issue go away.

MR. PETRO: Yeah, absolutely, it solves the problem. Frankly, even if it was that, well, lot 17, there's an easement through that that would be close but it doesn't matter, do it the way we just said and that ends that problem. Does everybody follow that what I'm talking about?

MR. ARGENIO: I follow it but I don't see the easement.

MR. EDSALL: Easement's hard to see.

MR. NORTON: It's a 40 foot wide easement, runs right along the road through here.

MR. EDSALL: For everyone's understanding, the sewer and water easement is the actual location of the old road, it's been shifted over now but we need to keep the sewer and water as an easement, obviously.

MR. PETRO: Make a motion to authorize public hearing?

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize a public hearing for the Benedict Pond subdivision. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Why don't you take the plan, do as much work as you can with Mark's comments, get the number of the lots correct.

MR. NORTON: I have reviewed them, there's nothing major.

MR. PETRO: Get it cleaned up for the public hearing. Whenever you're ready, contact Myra and she'll set you up for a public hearing.

MR. FRED LARRY: May I just say a word? I'm the applicant, Fred Larry, SDL Development, and I'd just like to comment on my favorable feeling with working out this problem that's been sitting here since '93 and when I first looked at the map and I entertained purchasing the property, I kind of realized what the issues were and thanks to Mark and Mr. Kroll and the highway department, we came up with a solution and I

appreciate everybody working with me.

MR. PETRO: Keep in mind you're going to have to get the lands dedicated from the town and that's going to have to be squared away.

MR. LARRY: We're working on that with Mr. Mirro (phonetic), Don Mirro is my attorney, he knows I believe Mr. Crotty and they have been talking already, I have title policy in the works and all of that is moving along.

MR. PETRO: We have a highway approval already subject to that being cleared up.

MR. LARRY: They're all working full steam on that.

MR. PETRO: Very good.

MR. LARRY: We're ready to close any time. Thank you, gentlemen, appreciate your time.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)
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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: BENEDICT POND ESTATES MAJOR SUBDIVISION – PHASE II
PROJECT LOCATION: DEAN HILL ROAD
SECTION 65 – BLOCK 1 – LOT 55,56,51.1 & 51.2
And SECTION 85 – BLOCK 1 – LOT 13
PROJECT NUMBER: 93-2
DATE: 12 DECEMBER 2001
DESCRIPTION: THIS APPLICATION INVOLVES THE SUBDIVISION OF THE
EXISTING PARCELS INTO 7 SINGLE-FAMILY RESIDENTIAL LOTS.
THE PLAN WAS PREVIOUSLY REVIEWED AT THE 13 JANUARY
1993 PLANNING BOARD MEETING, AND HAS BEEN THE SUBJECT
OF NUMEROUS WORKSESSIONS AND CONFERENCES OVER THE
LAST EIGHT YEARS.

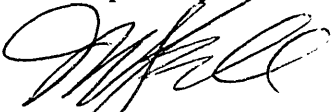
1. This project is located in the R-3 zone, and involves several tax parcels under common ownership. Seven lots are proposed, and each appears to comply with the minimum bulk requirements applicable to the application at the time of submission (this application is “grand-fathered” relative to lot area requirements).

The configuration of the lots of this revised plan reflects a significant improvement, since the road realignment has occurred for Dean Hill Road. The Board should note that the actual construction has occurred and the physical road exists to now serve this subdivision.

2. I have reviewed the current plan submitted, and have the following comments:
 - a) As noted in my comments of 13 January 1993, the numbering of this subdivision should be lots 1 thru 7, not 14 thru 20. The Town is considering this application as a separate action, since the previous subdivision has already received approval.
 - b) The location/identification of the individual tax parcels is difficult to follow on the submitted plans, and should be clarified on the resubmitted plans. In this case, a separate key plan may be of benefit.

- c) The plan is provided at 1" = 100' scale. This is difficult to read with all the necessary information. The scale should be revised to 1" = 50' minimum. Provide a separate detail sheet rather than attempting to fit all information on a single sheet.
 - d) The bulk table provided provides "required" values only. A bulk table with "provided" values for each lot is required. The respective dimension should also be indicated on the subdivision plat. This must be provided to verify zoning compliance of each lot.
 - e) Also related to zoning compliance, some lots are affected by easements. Both gross and net lot areas should be provided in the bulk table, since easements are subtracted from lot area in the Town code.
 - f) One of the proposed lots proposes access to Birch Drive, a private road. The applicant should provide documentation to the Planning Board attorney relative to rights for use, and existence of a maintenance agreement for the road.
- 3. The subdivision previously received a sewer reallocation approval and outside user approval from the Town. This should be finalized with the Town Attorney. A reallocation of 350 gpd per lot is required.
 - 4. In addition to sewer, the project now has municipal water available, based on my discussions with the Town Attorney.
 - 5. The Planning Board should be aware that this application also involves a sale of excess property from the Town to the applicant (resultant from the realignment of Dean Hill Road). This is being coordinated with the Town Attorney and Town Supervisor.
 - 6. It is not clear to me that a public hearing was ever held. Even if it were, I would recommend (given the time frames involved) that the Board authorize the scheduling of a Public Hearing, subject to the submittal of corrected plans.
 - 7. My records are not clear as to the establishment of Lead Agency under SEQRA. I suggest that the Planning Board assume the position of Lead Agency at this time.
 - 8. The Board should require that the Applicant or their authorized representative waive the deadline for Board action on this application, in light of the delays the applicant has experienced to date in resolving several basis issues of the application.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/23/2002

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 93-2

NAME: BENEDICT POND ESTATES - II
APPLICANT: PETRONE, MICHAEL/ OMAT, INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV2	12/18/2001	MUNICIPAL HIGHWAY . SUBJECT TO <u>LAND TRANSFER COMPLETED</u>	01/23/2001	APPROVED SUB TO
REV2	12/18/2001	MUNICIPAL WATER	01/07/2002	APPROVED
REV2	12/18/2001	MUNICIPAL SEWER . NO CLEANOUTS ON SEWER LATERALS FOR LOTS 1 & 2 . CLEANOUTS SHOULD BE AS CLOSE AS PRACTICAL TO HOUSE WALL AND . AT LEAST EVERY 100' THEREAFTER	01/04/2002	DISAPPROVED
REV2	12/18/2001	MUNICIPAL FIRE	01/02/2002	<u>APPROVED</u>
REV2	12/18/2001	NYSDOT	/ /	
REV1	11/10/2001	MUNICIPAL HIGHWAY . SUBJECT TO THE SALE OF PROPERTY BEING NEGOTIATED BY THE TOWN . ATTORNEY	12/10/2001	APPROVE COND
REV1	11/10/2001	MUNICIPAL WATER	12/07/2001	APPROVED
REV1	11/10/2001	MUNICIPAL SEWER	12/18/2001	SUPERSEDED BY REV2
REV1	11/10/2001	MUNICIPAL FIRE	12/06/2001	APPROVED
REV1	11/10/2001	NYSDOT	12/18/2001	SUPERSEDED BY REV2
ORIG	01/06/1993	MUNICIPAL HIGHWAY	11/10/2001	SUPERSEDED BY REV1
ORIG	01/06/1993	MUNICIPAL WATER	01/06/1993	APPROVED
ORIG	01/06/1993	MUNICIPAL SEWER	11/10/2001	SUPERSEDED BY REV1
ORIG	01/06/1993	MUNICIPAL SANITARY	11/10/2001	SUPERSEDED BY REV1
ORIG	01/06/1993	MUNICIPAL FIRE . PLEASE SUPPLY 2 PLANS SHOWING E-911 SYMBOLS EVERY 50'	01/11/1993	APPROVED
ORIG	01/06/1993	PLANNING BOARD ENGINEER	11/10/2001	SUPERSEDED BY REV1

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/23/2002

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
O [Disap, Appr]

FOR PROJECT NUMBER: 93-2

NAME: BENEDICT POND ESTATES - II
APPLICANT: PETRONE, MICHAEL/ OMAT, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
12/12/2001	P.B. APPEARANCE	LA: WVE PH RET
02/03/1999	WORK SESSION APPEARANCE	DISCUSSED PROGRESS
06/17/1998	WORK SESSION APPEARANCE	RETURN TO W.S.
05/14/1997	WORK SESSION APPEARANCE	GENERAL QUESTIONS
02/02/1995	WORK SESSION APPEARANCE	REVISE & RET. TO WS
01/13/1993	P.B. APPEARANCE	TO RETURN/NEW PLANS
12/01/1992	WORK SESSION APPEARANCE	SUBMIT APPLICATION
11/03/1992	WORK SESSION APPEARANCE	REVISE & RET. TO W.S
05/05/1992	WORK SESSION APPEARANCE	RETURN TO W.S.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/23/2002

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 93-2

NAME: BENEDICT POND ESTATES - II
APPLICANT: PETRONE, MICHAEL/ OMAT, INC.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	12/13/2001	EAF SUBMITTED	/ /	
ORIG	12/13/2001	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	12/13/2001	LEAD AGENCY DECLARED	12/12/2001	TOOK LA
ORIG	12/13/2001	DECLARATION (POS/NEG)	/ /	
ORIG	12/13/2001	SCHEDULE PUBLIC HEARING	/ /	
ORIG	12/13/2001	PUBLIC HEARING HELD	/ /	
ORIG	12/13/2001	WAIVE PUBLIC HEARING	12/12/2001	WAIVE PH
ORIG	12/13/2001	AGRICULTURAL NOTICES	/ /	
ORIG	12/13/2001	BUILDING DEPT REFER NUMBER	/ /	

0000 0001 0010 0011 0100 0101 0110 0111 1000 1001 1010 1011 1100 1101 1110 1111 X

Benedict Pond - S.D.L.

AFFIDAVIT OF
SERVICE
BY MAIL

-----X

That I am not a party to the action, am over 18 years of age and reside at 350 Bethlehem Road, New Windsor, NY 12553.

Myra L. Mason
Myra L. Mason, Secretary for
the Planning Board

2nd day of January, 192002

~~Notary Public~~

AFFIMAIL.PLB - DISC#1 P.B.

65-1-13
Frederick & Rose Marie Werner
P.O. Box 156
Vails Gate, NY 12584 ✓

67-2-2.12
Berzelius & Beroz Pavri
107 Birch Drive
New Windsor, NY 12553 ✓

Deborah Green, Town Clerk
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553 ✓

65-1-16.21 & 89-5-1
Applied Building Development of
New York N.W. TIC
1001 Forest Glen
New Windsor, NY 12553 ✓

67-2-3.11
William Garrison
29 Riley Road
New Windsor, NY 12553 ✓

Andrew Krieger, ESQ.
219 Quassaick Avenue
New Windsor, NY 12553 ✓

65-1-16.3
Paul & Christine Franke
75 Dean Hill Road
New Windsor, NY 12553 ✓

67-2-4
Richard & Ann Bewick
27 Riley Road
New Windsor, NY 12553 ✓

James Petro, Chairman
Planning Board
555 Union Avenue
New Windsor, NY 12553 ✓

65-1-93 & 65-1-94
Sarjon, LLC
C/o Patriot North Management Inc.
7 Sentry Drive, Suite 201
Parsippany, NJ 07054 ✓

67-2-5
John Jr. & Elizabeth Morin
10 Ash Street
New Windsor, NY 12553 ✓

Mark J. Edsall, P.E.
McGoey and Hauser
Consulting Engineers, P.C.
33 Airport Center Drive Suite 202
New Windsor, NY 12553 ✓

67-1-1
William & Margaret McDonnell
P.O. Box 995
Waitsfield, VT 05673 ✓

67-3-1 & 67-3-2
Pierre Belle III
2 Belle Court
New Windsor, NY 12553 ✓

67-1-6
David & Helen Barasky
35 Riley Road
New Windsor, NY 12553 ✓

67-3-3
John Gadbois
Joanne Esposito
7 Ash Street
New Windsor, NY 12553 ✓

67-1-7
Alice Mary Mula
P.O. Box 282
Vails Gate, NY 12584 ✓

67-3-4
George & Delores Mock
19 Riley Road
New Windsor, NY 12553 ✓

67-1-8
Robert Chapman
20 Overbrook Drive
Armont, NY 10952 ✓

67-4-6
James Duffy
30 Riley Road
New Windsor, NY 12553 ✓

67-1-9
Michael & Arlene McGovern
122 Birch Drive
New Windsor, NY 12553 ✓

67-4-7.11
Pasquale, Anna & Virginia Mugnano
2 Cimorelli Drive
New Windsor, NY 12553 ✓

67-2-1
William Bywater
115 Birch Drive
New Windsor, NY 12553 ✓

George J. Meyers, Supervisor
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553 ✓

24 mailed

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the
TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a
PUBLIC HEARING AT Town Hall, 555 Union Avenue, New Windsor, New York
on Wed, JANUARY 23Rd 2002 at 7:30 P.M. on the approval of the
date

proposed ☐ SITE PLAN / ☒ SUBDIVISION / ☐ SPECIAL PERMIT approval

for Benedict Pond Estates II located at ON THE

name of project

Rd

SOUTH WEST SIDE OF DEAN HILL Tax Map # 6 1 51.2 - 56.2

Address of project

section, block, lot

Map of the project is on file and may be inspected at the PLANNING BOARD
OFFICE, Town Hall, 555 Union Avenue, New Windsor, NY prior to Public
Hearing.

Date

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr., Chairman

RESULTS OF P.B. MEETING OF: December 12, 2001

PROJECT: Benedict Pond Subdivision P.B.# 93-2

LEAD AGENCY:

1. AUTHORIZE COORD LETTER: Y___ N___

2. TAKE LEAD AGENCY: Y 1 N

NEGATIVE DEC:

M)___ S)___ VOTE: A___ N___

CARRIED: YES___NO___

M) L (S) K VOTE: A 5 N 0

CARRIED: YES ☐ NO ☒

WAIVE PUBLIC HEARING: M) A S) B VOTE: A 5 N 12 WAIVED: Y N ✓

SCHEDULE P.H. Y ☒ N ☐

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: YES___NO___

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A ~~N~~ APPROVED CONDITIONALLY:

NEED NEW PLANS: Y N

DISCUSSION/APPROVAL CONDITIONS:

Address Mark's comments of 12/12/01
Need revised application for new owner.

ASSIGNMENT

In consideration of the sum of Ten (\$10:00) Dollars and other good and valuable consideration, receipt of which is hereby acknowledged, Omat, Inc., a New York Corporation with offices at 501 Bramertown Road, Tuxedo Park, New York 10987 ("Omat"), hereby assigns to SDL Development Corp., a New York Corporation with offices at Post Office Box 2227, Huntington, New York 11743 ("SDL"), all of its right, title and interest in and to the Subdivision Application previously filed by Omat on _____, 2001 with the Town of New Windsor for the Map known as Benedict Pond Estates II. In the event that the Town of New Windsor will not allow SDL to exercise Omat's rights under this Assignment, then Michael Petrone agrees to immediately upon SDL's written request, sell and transfer to SDL or its designee all of the issued and outstanding common stock in Omat, Inc. in a manner consistent with the intentions and goals of the parties set forth in the Contract of Sale between Omat and SDL dated August 23, 2001.

IN WITNESS WHEREOF, the undersigned have hereunto executed this Assignment the 6th day of ^{Sept}~~August~~, 2001.

OMAT, INC.

By: _____

Michael R. Petrone, President

Michael R. Petrone

STATE OF NEW YORK)
COUNTY OF NASSAU) SS.:

On the 6th day of ^{Sept}~~August~~ in the year 2001 before me, the undersigned, personally appeared Michael R. Petrone, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

C:\WP51\KADIN\AGREEMENTS\SDL ASSIGNMENT

DONALD W. MIRRO
Notary Public, State of New York
Appointed in Orange County
Commission Expires ~~March 00~~
Oct 9, 2003



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

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e-mail: mheny@att.net
- ☐ **Regional Office**
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Milford, Pennsylvania 18327
(570) 296-2765
e-mail: mhopa@ptd.net

MEMORANDUM

28 March 2000

TO: JAMES PETRO, PLANNING BOARD CHAIRMAN

FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER

**SUBJECT: BENEDICT POND SUBDIVISION - PHASE II
NWPB APPLICATION NO. 93-2**

I have received the attached correspondence from Donald W. Mirro, Esq. with regard to the subject application. As some background, the realignment and reconstruction of Dean Hill Road has been proposed by the Town for almost 15 years. It was originally discussed as part of the Husted/Townsend/Purdy Major Subdivision (App. 86-81) which was the predecessor to Shannon Acres. Shannon Acres has final approval and is in construction. They have committed to perform the Dean Hill Road work as an obligation of their public improvements.

Regarding the Benedict Pond Subdivision, the application was dormant between 1993 and 1998. Based on my records, we have never received anything other than concept sketch plans for the proposed subdivision (no preliminary design plans). Since the initial work session discussions with Mr. Petrone of Omat (several years after HTP), we have advised him of the intent to reconstruct the roadway, with some realignment.

There have been survey coordination problems between the surveyors of the two projects. I have attempted to bring the two surveyors together and believed I was successful.

My suggestion will be that Benedict Ponds/Omat come to a Planning Board meeting if they have a concern. Unless I hear otherwise, I will have Myra include them at the next available agenda.

Cc: Andrew Krieger, Esq., PB Attorney
Myra Mason, PS Secretary

MIRRO & BENNETT
ATTORNEYS AT LAW

DONALD W MIRRO
MATTHEW T SENNETT

ONE SEVENTY-SIX MAIN STREET
P. O. BOX 8
GOSHEN, NEW YORK 10924

TEL: (914) 294-5401
FAX: (914) 294-3894

March 13, 2000

McGoey, Hauser and Edsall
Consulting Engineers, P.C.
45 Quassaick Avenue
New Windsor, NY 12553
Attn: Mark J. Edsall, P.E.

RE: Benedict Pond II (Omat, Inc.)
Dean Hill Road
Our File No. 8137

Dear Mr. Edsall:

This is to inform you that our office represents Omat, Inc. who has a ten-lot major subdivision entitled "Benedict Pond II". I am writing concerning the status of the relocation of Dean Hill Road as it affects the subdivision known as "Shannon Acres", which map was filed in the Orange County Clerk's Office on November 1, 1999 as Map No. 242-99.

As you are aware, the final subdivision approval of Benedict Pond II is awaiting the relocation of Dean Hill Road. The Town Planning Board has made the final determination as to the new location of Dean Hill Road. Omat, Inc. would like to proceed with its application for final subdivision approval.

It appears from an examination of the aforementioned map that the relocation of Dean Hill Road within the lands of Shannon Acres does deny access from lands of Omat, Inc. to Dean Hill Road as relocated. I assume that Omat, Inc. would acquire title to the necessary strip of land.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-11-2001 BY 60322 UCBAW

MIRRO & BENNETT

March 13, 2000
Page 2

I would appreciate if you would review the determination of the Planning Board and Town Board as to the procedure which would provide access to the Benedict Pond II subdivision. Thank you for your time and immediate attention in this matter.

Very truly yours,



Donald W. Mirro

DWM/smr

cc: Michael Petrone
John Tarolli, PE/LS



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

6 October 2000

Michael M. Petrone
501 Bramertown Road
Tuxedo Park, NY 10987

SUBJECT: Benedict Pond II Subdivision
Planning Board Application 93-2

Dear Mr. Petrone:

I have received a copy of your letter to Supervisor Meyers dated 26 September 2000 in connection with the subject matter. I have been asked to respond and provide some information in this matter.

Your application to the Town Planning Board was dated 4 December 1992. My records indicate that the project was first reviewed by the Planning Board at their 13 January 1993 regular meeting.

The project was not in a sewer district. Approval for outside user agreements was not obtained until September of 1993. A reallocation agreement is required. I provided information in support of this agreement, and am of the understanding that the reallocation agreements have recently been executed.

The project has always fronted on an unimproved Town property, designated as Dean Hill Road. In order that any subdivision along this Town property obtains subdivision approval, a Town roadway need be constructed. At no time, to my knowledge, did Omat submit plans to the Town proposing that they construct this roadway and dedicate same to the Town. Instead, Omat held their application pending before the Planning Board while the Shannon Acres Major Subdivision (formerly known as Husted, Townsend, Purdy) proceeded and proposed to construct the public improvements. It would appear that Omat knowingly postponed progress on their application, awaiting construction of (or an obligation to construct) the required roadway by the adjoining developer, with the intent of taking benefit of the roadway once constructed, without any cost to Omat.


The proposal to realign the roadway is not new. It dates back to the Husted/Townsend/Purdy application (NWPB #86-81), which predates your application by over a half-decade. Numerous public meetings were held on the HTP subdivision, and on the Shannon Acres Subdivision, prior to the approval in July 1999. Omat had full knowledge of the proposal and had access to all information throughout the subdivision review by the Town.

Since the Omat application was not pursued in accordance with the Subdivision Regulations, it would be my opinion that Omat should submit a new plan and application to the Planning Board. The new plan and application should take into account the Shannon Acres approval and Dean Hill Road construction. Some information has already been made available to your surveyor to assist with this effort. We have recently requested a current survey as-built plan of the Dean Hill Road property and road improvements. We intend to share this with your surveyor once submitted to the Town.

I do not believe the Town has eliminated the Omat frontage, as it existed. Your property still fronts on the unimproved Dean Hill Road. Once dedication occurs by the Shannon Acres developer on the narrow parcel between "old" Dean Hill Road (unimproved) and the "new" Dean Hill Road (improved), Omat will benefit with access to an improved roadway.

I trust this answers your concerns.

Very truly yours,



Mark J. Edsall, P.E.
Planning Board Engineer

Cc: George J. Meyers, Town Supervisor
Phil Crotty, Town Attorney
James Petro, Planning Board Chairman
Myra Mason, Planning Board Secretary

Omat100600.doc
MJE/st

Michael M. Petrone

501 Bramertown Road
Tuxedo Park, NY 10987

TEL (845) 782 5535 // (845) 782 9552 FAX

September 26, 2000

Mr. George Myers
Supervisor
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

Dear Mr. Myers

Re: Relocation of Dean Hill Road

For the past five years, OMAT, INC 's subdivision fronting on Dean Hill Road, pending in front of your Planning Board under the name of Benedict Pond Estates II, has been prevented from progress and approval by your Town's decision to relocate Dean Hill Road, curtailing our frontage on said town road.

While this relocation was introduced in the framework of the review process of the adjoining Shannon Acres subdivision, with a view to benefit either that subdivision or your Town, no consideration was given to the damage caused to our property, by the depletion of access and street frontage, nor was any cooperation extended in relieving that damage.

Indeed, we have been unable to obtain any assistance from either Shannon Acres or the Town Administration in defining the final position of Dean Hill Road and in implementing the land transfers required to preserve our access and frontage. Incredibly, it appears that your Planning Board has approved Shannon Acres without defining Dean Hill Road which is the main access to that subdivision, and without resolving the impacts of such relocation on the adjacent properties.

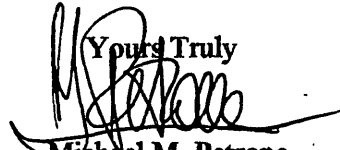
Please find attached copies of my prior correspondence to the Town Engineer and the Town Attorney, requesting their action for the resolution of this problem; as you can verify, some of this correspondence is dated two years ago. Also please be advised that OMAT has purchased sewer rights for the proposed lots, and continues spending considerable sums of money in engineering, sewer connection charges, property taxes and maintenance, and other indirect costs, all caused by the Town's failure to reinstate our street frontage, so that due process of our application in front of the Planning Board may continue.

We are now approaching the stage where Dean Hill Road will be constructed in some relocated position, our property will front on some undefined and abandoned parcel of Shannon Acres ownership, our rights of access and frontage will be permanently violated, and the entire neighborhood will be left in a chaotic condition.

This is my kind, but also final request for your Office to issue instructions, so that the responsible departments issue no building permits or certificates of occupancy to Shannon Acres, until Dean Hill Road is improved and completed, and until all required land transfers are implemented for the restoration of our street frontage.

Failing the above, we will have no alternative other requesting the courts for injunctive relief, required to prevent irreparable damage to our property.

As I will be traveling abroad for the first two weeks of October, please contact my attorney, Donald Mirro, Esq. Tel 294 5401. Looking forward to your prompt corrective response, I remain

Yours Truly

Michael M. Petrone

Cc: Town Attorney
Town Engineer
D. Mirro, Esq.
J. Tarolli, P.E.

Michael M. Petrone

501 Bramertown Road
Tuxedo Park, NY 10987

TEL (914) 782 5535 // (914) 782 9552 FAX

November 4, 1998

Mark J. Edsall, P.E.
McGoey, Hansen and Edsall
45 Quassiack Avenue
New Windsor, NY 12553

Dear Mr. Edsall

Re: Benedict Pond II Subdivision - Definition of Dean Hill Road

This follows recent conversations that included John Tarolli, P.E., L.S. on the need to define the proposed relocation of the Dean Hill Road frontage, as a prerequisite for the processing of our subdivision, pending in front of the Planning Board.

For over a year we have attempted to obtain the required engineering and surveying information directly from the adjacent landowner, receiving no cooperation.

I now request your kind assistance in releasing to John Tarolli, P.E., L.S., as they become available, the survey control work necessary to define our final frontage on Dean Hill Road. It would also be appropriate at this time to describe and process the land transfers required by the proposed road relocation, so that we could prepare a final plan for submission to the Planning Board, and concurrently process any land title changes that may be required.

With many thanks for your assistance, I remain

Yours truly

Michael M. Petrone

cc: J. Tarolli, PE



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

26 January 1999

Mercurio, Norton and Tarolli
P.O. Box 166
Pine Bush, New York 12566

ATTENTION: JOHN TAROLLI, P.E., L.S.

REFERENCE: BENEDICT POND SUBDIVISION - PHASE II
COORDINATION WITH SHANNON MAJOR SUBDIVISION
MHE JOB NO.: 87-56/T-93-2

Dear Mr. Tarolli:

As per the request of your client, Michael M. Petrone, we arranged a meeting with Stephen Drabick, L.S., the surveyor for the Shannon Acres subdivision project, which adjoins your client's project in the Town of New Windsor. You indicated that a meeting is not necessary at this time, but requested that any available information regarding the survey be forwarded to you for review and use as necessary.

Enclosed herewith please find survey information provided to me by Stephen Drabick, L.S. Mr. Drabick indicated that this information should be adequate for your coordination of the property boundary and the roadway relocation of Dean Hill Road.

I am hopeful that this information will serve your needs and assist in the completion of the work for Mr. Petrone. If you have any questions regarding this information, Mr. Drabick has indicated no objection to your contacting him directly.

Very truly yours,

McGOEY, HAUSER AND EDSALL
CONSULTING ENGINEERS, P.C.

Mark J. Edsall, P.E.
Planning Board Engineer

cc: Michael M. Petrone, w/o encl.
James Petro, Planning Board Chairman, w/o encl. ✓

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MJE/a:8756/93-2.dmr



**McGOEY, HAUSER and EDSALL
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Milford, Pennsylvania 18337
(717) 296-2765
e-mail: mhepa@ptd.net



5 November 1998

Mirro and Bennett Attorneys at Law
176 Main Street, P.O. Box B
Goshen, New York 10924

ATTENTION: DONALD W. MIRRO

SUBJECT: BENEDICT POND II
(PETRONE) MAJOR SUBDIVISION
SEWER REALLOCATION CAPACITY REQUIREMENT
N.W. P.B. NO. 93-2

Dear Mr. Mirro:

Thank you for your letter dated 3 November 1998 requesting a verification of the required capacity for the ten (10) lot major subdivision referenced above. Please be advised that the reallocation agreement should reference a daily flow capacity of 3,500 gallons per day.

The reallocation agreement should be coordinated directly with the New Windsor Town Attorney's office. You can contact Town Attorney Phillip Crotty in this regard.

If you have any further questions regarding the above, please do not hesitate to contact the undersigned.

Very truly yours,

**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.**

Mark J. Edsall, P.E.
Town Consulting Engineer

cc: George J. Meyers, Town Supervisor
Philip Crotty, Town Attorney
Myra Mason, Planning Board Secretary

MJesh
a:mirro.sh

BENEDICT POND ESTATES II SUBDIVISION (93-2) DEAN HILL &
MT. AIRY ROAD

Mr. John Tarolli and Marco Petroni appeared before the board for this proposal.

MR. PETRO: 1/6/93 municipal fire as approved. Please supply two plans showing the 911 symbols every 50 feet. I think Mark you can go over that.

MR. EDSALL: We can get a copy of the memo to John.

MR. PETRO: Mr. Tarolli, you may proceed, please.

MR. TAROLLI: This is a ten lot subdivision subsequent phase some lots previously done several years ago, ten lots located Dean Hill Road as well as one large lot on Mt. Airy Road.

MR. PETRO: Lot number 7?

MR. TAROLLI: Lot number 22 is the large lot that has the frontage, not only on Mt. Airy Road and includes Benedict Pond but if you follow the heavier lines you'll see it has frontage.

MR. PETRO: Real big lot you're talking about.

MR. TAROLLI: Has frontage on Ash Street as well as frontage on Birch Street. The other lots with the exception of lot 21 which has frontage on Birch Street all have frontage on Dean Hill Road. We've reworked lot 13 which was approved previously, one of the first 13 lots reworked that to a different configuration in terms of access and then the next to the lot 14 on Dean Hill Road. All these lots have access to the existing municipal sewer, they'll have their own wells not being in the water district.

MR. PETRO: The sewer goes where?

MR. TAROLLI: The sewer goes up Dean Hill Road, you see little symbols for the sanitary sewer.

MR. PETRO: All these lots will access the sewer

through laterals?

MR. TAROLLI: That is correct, no sewer main extensions.

MR. PETRO: Mark, do you want to start on anything? You can get the ball rolling.

MR. EDSALL: How do you want to handle it? Do you want to go down the comments? Do you want to ask me questions.

MR. VAN LEEUWEN: First of all, I'd kind to, maybe I'm stupid but I'm a little bit in the dark here. I think we all are. Could you explain to us Mr. Tarolli what's going on here, what you want to do.

MR. TAROLLI: On the right-hand side of the map I think you can see starting like--

MR. VAN LEEUWEN: Can you put it on the easel so we can all follow, it will be easier.

MR. TAROLLI: This section over here involves ten lots, 12 lots that was previously subdivided. And what we're talking about now is this area that includes several parcels owned by Omat which Mr. Petroni is a principle and lands of Michael Petroni, title includes all of those parcels by tax map section block and lot which comprise this current subdivision. I don't know, but any way, that is the composite of 1, 2, 3, 4, 5 parcels of land owned by Petroni and Omat.

MR. VAN LEEUWEN: You're creating another ten lots.

MR. TAROLLI: Another ten and we have kept the number in sequence in order so originally there were 13 done, this is 13, we've sort of reconfigured the access, left this triangle that was previously approved and put another lot 14 next to it and then we start with 15, 16, 18, 19, 22 is all and I'll do this in yellow, 22 is all of this.

MR. PETRO: 5 acres, that is correct.

MR. VAN LEEUWEN: What are you going to do with the balance of the land?

MR. TAROLLI: Well, at present, the reason we're leaving it in this situation, this condition, is that as you know to extend the public sewer main at this point is not permissible, we don't have any idea when that is going to happen and to service any lots in here, one would require that the main be extended which we can't. Second, access to this parcel, the pond actually severs on this end near the Cornwall, this is the Cornwall line, it severs this piece from this piece so physically without filling the pond in, we can't get across it with a public road. This is quite steep while we'll be able to get a few lots in here with private driveways, this is too steep to lend itself with access for a public road that would logically come up here and dome out here or here. This little triangle is owned by someone else other than Petroni or Omat for which Omat and Petroni have absolutely no financial and vested interest. They'd love to but someone else owns it. It went up for taxes and somebody else picked it up. So the best we could see if we had access to the public sewer would be perhaps bringing the public road in here and we have a long dead-end, this is quite a steep hill what it would do overlooking the pond we'd have to gouge out quite a bit of hill on the up side hill, it would pretty much open up and scar this side of the hill and that road is let's say access lots in the top of this ridge would be this is one inch equals a hundred, over a thousand feet long in dead-end. It couldn't come out this way and it can't come out this way.

MR. VAN LEEUWEN: You've got between lot 14 and 12 , being the access to lot 13.

MR. TAROLLI: Is the opening between 12 and 14.

MR. VAN LEEUWEN: What you're doing is you are blocking your access.

MR. TAROLLI: What I am trying to say is we don't for 2 reasons. One, we don't think the sewer is going to be extended in the near future. We don't know the

condition. Second, we don't think even if it were we'd want to build a road in here.

MR. VAN LEEUWEN: You're landlocking it.

MR. TAROLLI: No, we feel that if the time is right, that this can be developed without sewer or with sewer that the best we would do over here would be to put maybe four or five home sites on this ridge and access them with private driveways off of Mt. Airy Road. That is the best.

MR. PETRONI: The gentleman missed one point here, this is 50 foot, we're leaving 50 foot access right at the edge of lot 14.

MR. VAN LEEUWEN: Doesn't show it on this map.

MR. PETRONI: You can see that that is to be, it's 50 feet frontage on Riley Road.

MR. VAN LEEUWEN: I see where you mean now but let me say something to you, how big--

MR. SCHIEFER: How wide is this between the two lots?

MR. PETRONI: I can tell you we have another survey on that, the land between the two black dots that is 35 feet measured.

MR. TAROLLI: No, that is the number 35, it's 60 feet, if you look in the table, the dimensions for 35 is in the circle.

MR. PETRONI: I'm talking about this, the project the on the side of the road you've got 50. We'll leave 50 feet there.

MR. TAROLLI: There's a 50 foot opening where those 2 lines come together.

MR. PETRONI: And the intent is to leave 50 feet for additional, for a neck of a road, whether that shows clearly here or not we'll undertake that.

MR. VAN LEEUWEN: Because on 41 on this map shows 28.89.

MR. TAROLLI: That is correct, that is not parallel with Dean Hill Road. If you measure what we have along Dean Hill Road outside of that triangular piece, we have an opening there that is 50 feet.

MR. VAN LEEUWEN: You're going to the center of the road, too, you can't do that. You can't go to the center of the road.

MR. TAROLLI: We own this so if we have, if this becomes a public road, we'll have 50 feet in width from the tip of what this gentleman owns in here we can dedicate this whole strip to the Town, this is over 50 feet and if we should decide to build a public road so in terms of building the 35 foot road.

MR. VAN LEEUWEN: I want our engineer to do that because to look at that, we cannot subdivide a landlocked piece of land.

MR. SCHIEFER: You're hurting only yourself if that is not 50 feet, look what this whole damn thing is shot down.

MR. PETRO: First of all, he's not, let's get it straight, he's not landlocking it entirely because he has hundreds of feet on Mt. Airy Road. My concern would be off Mt. Airy Road to go up that steep incline the topo on the road is about 350 and 400. Would you keep a ten percent grade on the top of the hill to access the five or six homes so if that is not possible.

MR. TAROLLI: We know you can't build a public road off Mt. Airy Road, we know that.

MR. VAN LEEUWEN: You can't have driveways over 20 percent either.

MR. TAROLLI: Using the area that we have which is about 350 feet, we can have several private driveways not hit the hill headon but proceed slightly on an

angle and the grades are within your limits, that is why I mentioned that the big piece for 2 reasons in the near future is limited to a handfull of lots not 15 or 20 because it's 50 acres. But a handfull for the two reasons we don't expect public road off Mt. Airy Road can be done without taking the hill out down and it makes no sense.

MR. PETRO: You're telling us that regardless of the 350 on Mt. Airy Road that you are going to have dedicated on this end of the lot 50 foot right-of-way to Dean Hill anyway?

MR. TAROLLI: We have 50 feet.

MR. PETRO: If you can demonstrate that and the Planning Board Engineer concurs with it, we don't have anything to talk about, if he has it. If he doesn't we'll discuss it at that time.

MR. PETRONI: That is exactly correct.

MR. PETRO: Do you have something to add on that?

MR. EDSALL: For that portion of the balance parcel they are indicating they have 2 access points one, off Mt. Airy and 50 foot piece which we have a surveyor telling us it's 50 foot, I have no doubt that he is right off Dean Hill Road.

MR. VAN LEEUWEN: You also have to show the hundred foot boundary for the wetlands here that is not shown on this one here either.

MR. TAROLLI: This is an, it's not a regulated State wetlands, it's a classified Federal wetlands. It shows up on the Federal wetlands maps. The Federal wetlands don't have a buffer. We have indicated there's this note just to follow the intent of the Federal Wetlands Law that is to notify people of that if you do anything with the wetlands, it's basically the pond you may need a Federal permit but it's not a regulated State wetlands so there's no hundred foot buffer.

MR. VAN LEEUWEN: Is that correct, Mark?

MR. EDSALL: It's correct. I haven't checked the State wetlands maps but would I concur from the size of it I don't believe it's listed but as far as Federal wetlands go, he's correct, there's not a buffer setback.

MR. PETRONI: I can volunteer Mark about three years ago, I talked to DEC about this and they checked it, it's not on there maps. We can verify that.

MR. VAN LEEUWEN: I think we also should know how big the pond is how many acres it consists of.

MR. TAROLLI: We can give that you.

MR. PETRONI: Approximately 11 acres.

MR. VAN LEEUWEN: We ought to go take a look at the site.

MR. PETRO: Our engineer has quite a few comments obviously you have been to a workshop session, I think you should go back again.

MR. EDSALL: We've taken it as far as we can take it in the workshop. I think the board's got to decide from a sketch plan standpoint if they agree or disagree with the layout.

MR. VAN LEEUWEN: Before i do that, I want to go look at it.

MR. PETRO: Three or four of your comments have to deal with the access on Dean Hill Road and somehow you have to give us a note on this plan and demonstrate that you do indeed have a 50 foot right-of-way that is acceptable to the New Windsor Highway Department. Also so we have access to the large parcel which should be given a number. So we can stop saying large parcel.

MR. TAROLLI: It's 22 so we have access from Dean Hill.

MR. DUBALDI: What about Dean Hill Road that is not one of the greatest roads in the world right now, what's

the condition of the road, I mean, are they going to be able to be--

MR. BABCOCK: At this point, the condition of the road is okay, it's blacktopped.

MR. TAROLLI: Blacktop ends in front of that triangle we don't own.

MR. BABCOCK: Where you want to put the 50 foot access the blacktop is there and shortly thereafter it ends.

MR. TAROLLI: And it's a gravel road.

MR. EDSALL: Maybe Mr. Chairman just so we make some of these questions go away possibly, maybe we can just walk through my comments and if the board has an opinion, they can tell us, if they agree or disagree.

MR. VAN LEEUWEN: I have one question, lot 21, what's that access to?

MR. TAROLLI: Lot 21 has access on Birch Drive, the 2 courses, 33 and 24 add up to I think in excess of 80 feet.

MR. VAN LEEUWEN: Is there a turnaround on that particular point on Birch Drive?

MR. TAROLLI: There is not.

MR. EDSALL: Maybe we should open up part of the concerns we have because one of the items that Mike confirmed and the Town Clerk has advised me is that Ash Street and Birch Drive are private roads, not Town roads so I am not quite sure what use rights they have and that is something I believe I know I've gotten a copy they've submitted deeds and I think Andy should look at those to ensure that whatever use they have is in conformance with whatever rights come with the parcel because as it stands now, the non-subdivided parcel has access to Dean Hill Road. The subdivision is going to create a condition where some of the proposed lots have only access to a private road which in fact the Town has no right to give them the rights

to use it if they don't already have that right. So I think Andy has to look at that and as well I have some other concerns but that is very critical.

MR. PETRO: Where does Dean Hill Road end right where the blacktop ends?

MR. EDSALL: No, Dean Hill Road as far as the Town dedication or at least at this point really used more as a sewer easement, runs straight through.

MR. PETRO: Why do we have a dirt road that is a Town?

MR. EDSALL: Because that is an unimproved Town road meaning that in fact the Town received to my understanding a dedication for the sewer and when they received that dedication for the sewer, it was dedicated to the Town as a road. However the Town, because of budgeting, has not built the physical road.

MR. PETRO: The Town built it when these homes--

MR. EDSALL: My understanding is the Town has no schedule for building that road.

MR. PETRO: They are going to have driveways that access onto a dirt road?

MR. EDSALL: I'm not sure the building inspector would issue a permit and I'm not sure you can create the lots with no road. I think that is as some of the other issues I know here is something that the Town Board is going to have to give you some guidance on.

MR. PETRO: You can say that that is just a paper road even though it's a trail there, how can you have driveways coming out?

MR. EDSALL: Mike and I went up it once. I wouldn't say it's too travelable but it's tough, it's not an improved road.

MR. LANDER: Paper road now can you answer where you have lot 22 on the map here, how are we going to access this side of Benedict's Pond? Do we own any access

from this what would it be the southeast anyplace here?

MR. TAROLLI: Well, we have a strip that is quite close to the Town line, here's the access, physical access for this would be off Ash or Birch.

MR. LANDER: This is all one lot.

MR. TAROLLI: This whole thing is one lot.

MR. LANDER: When you subdivide this later on.

MR. TAROLLI: Well, logical subdivision is going to be to cut the pond, the pond is a natural subdivision so that is probably what it will be, it will go with one parcel or several parcels.

MR. LANDER: This is all one lot here?

MR. TAROLLI: Or unless something else happens.

MR. EDSALL: Ron, one of the problems I see and I think we should note it in the record we have got a situation you're asking about the southeast portion of the large parcel to the southeast side of Benedict Pond. Fine, that overall parcel is lot 22 and it may in fact have access to Ash and Birch and they may have the rights to use that but even if in fact they have the rights, the Town Code prohibits the use of private roads to a maximum of 6 lots, 4 of which have internal usage. They have got that balance parcel that they are in effect creating a hardship or in effect creating a situation where it will be landlocked other than two private roads which may in fact find a situation where if these other lots are sold, they can't use that parcel. And at that point, number one we know from the Zoning Board that they have told us they have no legal right to grant variances to private road law and it may be a situation where down the road that large portion can't be used. So, it's just from a planning standpoint and the applicant if they decide to take the large area and have only the ability to have one house on it, if there's, that is their business but I'm putting in the record.

MR. PETRO: Why can't the applicant if Dean Hill Road is a Town road and you're telling me that it is when you back down to lot number 19 and 20 down in here why can't you put in a private road put in a private road off Dean Hill Road and access these other few lots that you have because this configuration frankly is very confusing to me as it is right now on this southeast corner.

MR. VAN LEEUWEN: We're trying to put ten pounds in a one pound bag.

MR. PETRO: Private road, leave your stub or your cul-de-sac there for access to this other big piece on this east side of Benedict's Pond.

MR. VAN LEEUWEN: You can put a private road up to 800 feet long including the turnaround.

MR. KREIGER: If they dedicate it.

MR. PETRONI: That is a very reasonable suggestion. And we would like to do that, the economics of this layout don't allow it, we're looking at 7, 800 feet of road to come up with 3 lots, 2 lots.

MR. VAN LEEUWEN: But the way these lots are laid out here this is hodgepodge, it's not right.

MR. PETRONI: We have a mind to, we have devised some other destination for the large section southeast for the large lot here but that would require Town Board approval. We've had preliminary conversation I don't know if this is the time to indicate, it's very tentative at this point and we'll be looking for rezoning. That would resolve this situation but I don't know if that is--

MR. PETRO: I'll rephrase it to you then you show or demonstrate to the New Windsor Planning Board how indeed you can get really straighten out that conglomeration of lots on the southeast corner and demonstrate how you can provide access to that parcel of lands on the outside of Benedict's Pond, we'll leave it up to you. Right now, you're not doing it.

MR. VAN LEEUWEN: I wouldn't go along with this configuration, I'll tell that you.

MR. PETRO: I find this a little confusing.

MR. TAROLLI: For the interim, lots 21 and 22 were merged.

MR. VAN LEEUWEN: You've got lot 20 that has got the same problem. Look at the configuration of lot 20. Look at these lines here. In my estimation that is poor planning. I realize what you're trying to do. I realize you're trying to get the last buck out but that is poor planning.

MR. PETRO: And in turn blocking off a large piece of property also.

MR. PETRO: Even a 400 foot road I don't want to sit here as an engineer because I'm not or a designer but I think you can get a little more thought into this corner without trying to get the last inch without any expense.

MR. TAROLLI: I would look at it the way we look at it this way, he's looking at it from a money viewpoint. If we build three or four hundred feet of private road and let's say we add 2 lots to what we have here to pay for that private road, we can only add one lot. I'm not sure anything is gained. I mean on paper, these lines may look a little peculiar, it's because Benedict's Pond intrudes here and because of the previous subdivisions on Ash and Birch there was this checkerboard arrangement left that Omat and Petroni took title to it, just the lines look crude on a piece of paper but if you look at the houses they are sort of staggered, you don't see the lines on the ground by and large when they are built and to prevent another private road from being built and have to be maintained by three or four homeowner's, it seems to me we're going to have one or two less lots. There's no harm done if they look peculiar on paper but we've eliminated a maintenance of another road, another intrusion of a road into the woods. I don't see

environmentally that this is unsound. I agree with you all, the lines like--

MR. VAN LEEUWEN: You're not going to get that passed me because I wouldn't do it for myself if I was in that situation.

MR. PETRO: You have a house now being built, you show a house on lot 22 which is the remaining lot.

MR. TAROLLI: Proposed house because we understand that regardless of the size of the residual, you have to show that at least you have to show someplace on the remaining land.

MR. PETRO: My question is how do you get access to that home on lot 22?

MR. TAROLLI: Well, either off Ash or Birch. It has frontage on both. Our opinion is that we have legal access to both those streets, we'll provide that through either title report or whatever.

MR. VAN LEEUWEN: You have to demonstrate that to us.

MR. PETRO: Ash Street actually hits your land lot 22 so.

MR. TAROLLI: It's 49 1/2 feet, we don't have the 60 so we had to throw in the checkerboard corner, we threw in another 70 feet on the end of Birch.

MR. PETRO: Why not change the location of the house and have access to the southerly corner from Ash Street?

MR. LANDER: Ash is a private road.

MR. VAN LEEUWEN: We can sit here and debate this all night and we can sit here and say folks, we don't like it, we do like it. We have to get this thing resolved and the best thing we should do is go out and take a look at the two streets, Birch and Ash and take a look what we think and get an opinion from the Town Board. In the meantime they should send their deeds to Andy

and have Andy go through them and see if we have access on Birch and Ash. Until then, we have nothing.

MR. SCHIEFER: You have to find out the status of Ash and Birch.

MR. EDSALL: They are private roads.

MR. VAN LEEUWEN: I'm going to say right now as far as I'm only one member here this 19, 20 and 22 you're not going to get passed me. I won't go for that.

MR. SCHIEFER: If Ash and Birch are private roads, I think this creates a problem.

MR. PETRO: Where is access on your plan now, where is access to lot 21, sir?

MR. TAROLLI: End of Birch because Birch comes all the way up.

MR. PETRO: You're accessing 21 and 22 off Ash and Birch Street?

MR. TAROLLI: That is correct.

MR. DUBALDI: On lot 22, it shows there's a trailer and shed on the lower part of the property so you have to take that into consideration so there's the structures on it.

MR. PETRONI: That is an abandoned trailer, it's boarded up, there's a tree growing through it. It's just there. We'll take it out.

MR. DUBALDI: It's being shown on the map as a house trailer and shed, if we approve it we're going to be approving a house trailer and shed. What I am saying when I sign this map and that is, that is on there I'm giving you approval that there's a house trailer and shed.

MR. PETRONI: He will be taking it off before final approval. For clarity, we'll try here to work with this board as much as we can, we have assumed first of

all it wasn't too clear until last week whether these were private or public roads, very recently there was some contradiction. Now the second thing we have reason to believe that we have means to get access from them and I'll demonstrate if that is not the case we don't have access from them, it's over. Now assuming we have access, what is it that would satisfy this board, I mean?

MR. PETRO: Well, if you have access from those two if you do, Mark you can inform me they have access from Ash and Birch Drive, they are allowed 6 lots off.

MR. EDSALL: No, the road is allowed a maximum of 4 internal lots. If there are currently 4 lots, that is the maximum. They have rights on their lot plus the other internal lots makes 5 then it becomes a pre-existing condition. Obviously they can have what they've always had which is the lot that is there but you can't create any new lots.

MR. PETRO: There are homes off these streets already.

MR. EDSALL: Yes, that is right and it's the total count they can't create.

MR. PETRO: It's a moot point.

MR. EDSALL: Whatever the lot count is if it is already maxed out and they have existing rights obviously the Town of New Windsor can't take away existing rights.

MR. PETRO: Do you know how many homes?

MR. TAROLLI: I don't know how many homes.

MR. EDSALL: How many lots?

MR. TAROLLI: From the tax map not counting the ones that are cornered on Riley, 4 on Ash and 5 on Birch.

MR. EDSALL: That does not include your parcel?

MR. TAROLLI: Doesn't include my parcel.

MR. EDSALL: You cannot create any new lots.

MR. TAROLLI: And we're not. If you look at the tax map, you'll see and I've drawn the lines on here you'll see that there's one parcel here, it's lot 51.1 and I'll be glad to maybe yellow it up on here that already exists as a separate tax parcel owned by Omat and then another one owned by Petroni. This here is a tax map parcel, that is one.

MR. EDSALL: Does that front on both roads?

MR. TAROLLI: That has frontage on no road. There's another parcel here that comes around this, that wraps around it that comes over this way that is owned by separate ownership.

MR. EDSALL: That is the one that has frontage on both.
MR. TAROLLI: Right now I've shown this house here, we don't even want, we had a note this is not a building lot, we'll take this house and we'll show it over here when I go to the Board of Health it's over 5 acres but they'll probably make me do an inground septic, we'll do it over here so the driveway is here and we're just doing it.

MR. EDSALL: If that is all one balance parcel, lot 22, you don't need to show it on both sides of the pond just next to the house on 22.

MR. TAROLLI: You're saying we have a problem that we can't create another lot. I'm saying we have one parcel here, we've got this parcel we're actually consolidating. We have one over here that is consolidation. We have 4 parcels here, 1, 2, 3 and 4 over here, yellow is one tax parcel, we're giving it frontage by all of this.

MR. PETRO: The thing is you're creating something else again like you're doing a lot line change. You have the lot through but it's not the configuration so now you're doing lot line changes within the tax lot that is there already.

MR. EDSALL: One of my comments is that we've got a

whole bunch of lots involved here and they seem to be ignoring although they are showing it, show us they are not ignoring them but they've got to understand if they are going to take the overall combined number of parcels be they Omat, Petroni, whatever and effectively considering them one and then subdividing, they should eliminate all the internal lines and do that or make lot line changes.

MR. TAROLLI: We have, you asked us to show the composite so we did note that.

MR. EDSALL: So effectively the application is dissolving all the existing lines.

MR. TAROLLI: That is correct. That is why the title says Omat and Petroni. We're putting them together and not lot line changes, we're putting them all in a pile reshuffling so they all have legal frontage. They all have legitimate area and they all have a house site, house site for 22 seems to be a little bit of a concern that it might have its driveway on a private road and there are too many. We'll put it over the pond if we have to on Mt. Airy Road. We're only showing the house for lot 22.

MR. EDSALL: It doesn't matter where the house is. It's the fact that you have a lot that has access to a private road so once Andy reviews the deeds we'll know what rights the lots have.

MR. PETRO: We don't want to landlock, we still want access to that big piece. That was my idea even though you're putting a house, you're satisfying that problem we're still left with the problem that the southeast corner is going to be blocked off by the pond.

MR. PETRONI: The southeast corner is landlocked now and what we're trying to do we're trying to get it out of the landlocked we're on the same side of the board.

MR. EDSALL: It's landlocked with respect to the fact that it is a separate parcel. But they are all separate parcels under the same ownership so they are not landlocked. You have access to Dean Hill Road,

you're coming in as a combined application so you can't tell us in one case I'm here as one owner and on the otherhand say but I'm landlocked. Proper planning is you come in with all the lots as a single owner be it under corporation or personal.

MR. PETRO: Are you completely objecting to my idea of the private road coming in off Dean Hill and give you access to the southeast corner? You can get 4 lots in there and 12 on Dean Hill which will give you 6 lots total. Of course I know you have an expense of the road but I don't think you have to get up to the road to utilize all the lots that you have to.

MR. TAROLLI: I don't want to cause the outlet of the dam because it's a gully. I'm not going any further than here, here's where the water comes out of the dam so I'm limited here. Second, if I put a private road, I have to put sewer line extension and we discussed earlier that is I can't do that I don't know when we're going to be able to. If we're going to be able to do it. So I say why it looks a little peculiar on paper, I'm the first to admit it because I designed it on the ground you're going to see four or five homes aesthetically I think it's better to see it without the private road and maybe it won't look at suburban, he's giving you a couple lots but we really have no control over the sewer business and that is our major problem.

MR. PETRO: With the way it stands--

MR. PETRONI: This started out when the sewer was available originally three years ago this would have been a cluster, it would have been proposed, it just, we have to do this because of the limitation of the sewer. In fact the disappearance of the sewer. And we're trying to do the best we're trying to remove landlocked which is existing. Now we can do a private road and improve well, however, one of the limitations we have had has been the lateral.

MR. PETRO: How are you going to get the lateral onto 21 down to the sewer line?

MR. TAROLLI: It's going to go down Birch. There's a

manhole you see is down on Birch, that is the one that we can see, there maybe another one, I'm not sure. We can see about halfway down Birch, then it's got a little box with some data on it, Ash has a similar one.

MR. PETRO: That is quite a distance down the road for a lateral.

MR. BABCOCK: One of the issues that we talked about at the workshop is that now we're not sure that this property is in the sewer district.

MR. EDSALL: Let me jump in on that. We had a meeting with the Supervisor on the 16th of December and this area is not in the sewer district so one of my comments which I'll put at this point in the record is that before this board grants preliminary approval, you should have something in writing from the Town Board saying that any lot created will be granted outside user permit because the zoning size of the lots is based on if sewer is available or not available. Well obviously, if the Town Board refuses outside user permits, it means the lot size has to change and as well, they have to show sanitary so when they are ready for preliminary, there's got to be an answer that is cast in stone, either there's sewer on not sewer available. As far as access to the sewer on Birch, we don't know if the Town has an easement up Birch Drive passed this sewer manhole shown. As John said there may be another manhole but again one of my comments is where is the Town sewer easement. We can't grant somebody to get on a private road with a sewer lateral.

MR. PETRO: We're getting to a point where we're not making any headway. Let's find out if Ash and Birch are definitely private or Town roads. Let's find out how many lots are existing on each one.

MR. EDSALL: Where the sewer ends and if there's an easement.

MR. PETRO: If it is accessible from these lots that you want to create here. Demonstrate two things on your next map. Also one is access to lot 22 off Dean Hill Road on that 50 foot spot that you were talking

about. Also demonstrate access to remaining southeasterly portion over by Ash Street there that we're talking about. I don't care where the house goes personally as long as it's in a proper form on that lot somewhere. And show access to that part of it. And in the meantime, I think get something to our attorney stating that they are private or public streets and we can go from there. We're just spinning wheels now.

MR. EDSALL: One other thing that we have to do the numbering of the map and it's fine if it was coming in as a phased subdivision plan, as far as filing but even though it was referred to in the past as Phase One, it wasn't filed as a phased subdivision plan. It was a separate application. It's independent. The other lot line is fine if they say lot numbers from a previous application. This application, even though it's in there opinion Phase Two and it really overall is, it is a separate application. They have to start with lot number 1, 2, 3 and go forward. If there's a separate lot line change, show that as a lot line change to previous lots. There's tax map numbers on those lots now.

MR. PETRO: Mr. Tarolli, I'm the last one to be a pain but if you could with the topo could you put it on a separate page please. This entire map I know this is a sketch plan is very confusing, especially the lot lines themselves are not well-defined, if you can just do that.

MR. TAROLLI: It's a sketch plan and if it goes to preliminary particularly with the Board of Health it has to be 50 scale which means other than the big lot the little lots will be twice the size there will be a sheet with topo and a plot for the sketch plan. We try to keep it something that you can--

MR. PETRO: That is confusing application to start with.

MR. TAROLLI: We can turn the topo off.

MR. PETRONI: If you don't look at it altogether.

MR. PETRO: When you get the distance on these roads from the manholes on Ash and Birch, and I'd like to know how long, I know your scale shows 1 inch to 100 feet but find out the actual distances of the roads.

MR. KREIGER: They are not clearly shown, I've got this dotted portion here and then I've got what looks like a right-of-way with the cul-de-sac, is it on the ground, is it not on the ground, is that the road that is proposed?

MR. TAROLLI: The road ends where the dots ends, as far as people travel and cars, the paper street--

MR. KREIGER: At the end of Ash Street I see a cul-de-sac which seems to make an incursion into--

MR. TAROLLI: Right there is a note there's a paper cul-de-sac that actually is an encumbrance on the lot of Coleburg (phonetic) but in the deed it says at such time somebody wants to make a turnaround and of course Petroni is willing to give his part of the circle as we've shown in there and I believe the same kind of a circle exists on lands of Moore.

MR. PETRO: If you can show the dam and the ravine, what's there, a gully?

MR. TAROLLI: There's a gully, it's not--

MR. PETRO: At some point, it will be passable or is it going to be impassable?

MR. TAROLLI: You could put a large culvert in there and fill that, it's about 15 feet deep and build a road.

MR. PETRO: Can you show it more defined on the next map?

MR. TAROLLI: In what way?

MR. PETRO: Explaining exactly what it is, it says dam here.

MR. TAROLLI: There's an earthen dam there's a physical structure there if you see it in the field, it looks just like that.

MR. EDSALL: Is there a spillway outlet on that now?

MR. PETRONI: No.

MR. TAROLLI: I haven't visited it, my surveyor did.

MR. TAROLLI: So there is a pipe on the bottom?

MR. PETRONI: I believe so.

MR. TAROLLI: It's not a spillway over the top.

MR. BABCOCK: One other thing just since there's a somewhat of a list of stuff that we're asking the applicant to look into, I think also we should look into who is going to upgrade Dean Hill Road so these lots are on a Town road whether the Town is doing it or he's doing it, I think they are going to either check with the highway superintendent.

MR. PETRO: Have you checked with the Town Board or the highway superintendent find out if they are going to improve this road?

MR. PETRONI: As far as we're concerned, this is a Town road and the Town will improve it.

MR. PETRO: It has to be dust-free surface and we're not going to give any permits to homes or driveways coming out onto a dirt road.

MR. PETRONI: One thing we're willing to do is to make it accessible, comfortably accessible to emergency vehicle, that is for sure.

MR. PETRO: Are you are saying you're going to blacktop the road, sir?

MR. PETRONI: Not really, we may oil it.

MR. BABCOCK: I think they should work it out if the

highway superintendent says that right now we know of no plan to do anything with the road, basically, if there's not a Town, it's not Town maintained or improved or bonded, they won't be able to receive building permits on it so I think the issue should be straightened out now, not after the subdivision and who is going to build the road we should ask that now.

MR. PETRO: Can you look into that?

MR. TAROLLI: At the time we're going to ask the Town Board about furnishing us with their position on the sewer access, it probably is appropriate time to ask them the same question about the condition of the road and it will probably instigate a discussion with the owners and hopefully come back with an answer.

MR. PETRO: The other important thing you're going to have to develop a cul-de-sac at the end of this road, it's going to have to be made to specifications.

MR. EDSALL: For the Dean Hill, well, it's a through road, it all depends if it is improved as a through road then there's an improved road at each end.

MR. TAROLLI: We control one half of the paper part. If it's got to be improved, whatever the settlement is between he and the Town Board for the improvement if they want us just to pave half on our side or put the whole circle on our side, whatever works out to we're obviously going to do it.

MR. PETRO: My consideration, fire truck going in there turning around and would be the plowing of the road when they go to plow, where does it end? Even though we know on paper it's a through road and you don't need a cul-de-sac in reality.

MR. LANDER: Still you can't, it has to be a road, well, Town owns that, I don't know what the situation was before this application came in, the Town was supposed to do this, that is up to the Town Board. We have really nothing to say about it, Town Board is the one that has to.

MR. BABCOCK: Alls I'm saying I think we should have, the Planning Board should have an answer to how it's going to be accomplished. We're not concerned who is going to.

MR. EDSALL: And unless the Town Board waives the requirement to improve it in accordance with the street specifications, it can't just be dust free or something else, it's got to be a Town road of the grades that the code allows.

MR. PETRO: What about my other concern how do you go in there with an ambulance or fire truck or plowing truck?

MR. EDSALL: Unless it's physically improved from end to end, there would have to be a temporary cul-de-sac.

MR. PETRO: Look into those items.

MR. PETRONI: Town has plans to improve the road, there's engineering to straighten out the road. There's even a design to straighten out, take off the dogleg in the road so that is, we know that. Now the timing is the only question.

MR. PETRO: We're not trying to be difficult it's pretty complicated. It's not a big subdivision but the land that we're working with here is certainly not a pancake and very easy to figure out. We're not trying to be difficult. We're trying to get some answers and hopefully move things along.

MR. TAROLLI: I think you have been very cooperative, first time to this board I have been to other boards usually I'm behind here covering my head so you have been very cooperative and up front with us.

MR. PETRO: Get a few of those items, we'll get you back on the agenda.



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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: BENEDICT POND ESTATES
MAJOR SUBDIVISION - PHASE II
PROJECT LOCATION: DEAN HILL ROAD
SECTION 65-BLOCK 1-LOTS 55, 56, 51.1 AND 51.2
SECTION 85-BLOCK 1-LOT 13
PROJECT NUMBER: 93-2
DATE: 13 JANUARY 1993
DESCRIPTION: THE APPLICATION INVOLVES THE MAJOR SUBDIVISION OF
THE "BALANCE PARCEL" OF THE PREVIOUSLY APPROVED
BENEDICT POND SUBDIVISION. THE APPLICATION WAS
REVIEWED ON A CONCEPT BASIS ONLY.

1. This project, to my understanding, involves several tax parcels under the ownership of both Omat, Inc. and Michael Petrone. The location of these individual lines, although roughly shown on the sketch plan, are somewhat difficult to completely understand and, as such, I suggest that subsequent plans be made absolutely clear as to the location of the existing lot lines.

Further, it is my understanding that this application also involves possible lot line changes, as well as the possibility of the dissolution of some of the lot (tax) lines. Obviously, it is mandatory that the subdivision plan and application be absolutely clear as to what is proposed. Currently, it is my opinion that the plan has not been submitted in such a form.

2. The Applicant should understand that this subdivision application is a separate action being considered by the Town of New Windsor Planning Board. As such, I recommend that the information from the previously approved lots, with the exception of any involved lot line changes, be deleted from this plan. It should be clear to any reviewing person or agency that the previously approved lots are not part of this application.

Further, the lot numbers for this application should have delineation of Lots 1 through 10 (not numbered upwards from the previously approved lot numbers).

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: BENEDICT POND ESTATES
MAJOR SUBDIVISION - PHASE II
PROJECT LOCATION: DEAN HILL ROAD
SECTION 65-BLOCK 1-LOTS 55, 56, 51.1 AND 51.2
SECTION 85-BLOCK 1-LOT 13
PROJECT NUMBER: 93-2
DATE: 13 JANUARY 1993

3. With regard to the concept configuration for the proposed subdivision, I have the following comments:

- a. The configuration restricts access to the balance parcel to Dean Hill Road to the single access point to the south of Lot 12. As well, access is also provided to Mount Airy Road; however, this access will be difficult, based on the topography of that portion of the property.
- b. The southeasterly portion of the balance parcel to the southeast of Benedicts Pond is effectively landlocked as a result of this application, with the exception of access to Ash Street and Birch Drive, through Lot 22, which are (to my understanding) private roads. This will severely restrict the ability to develop this portion of the balance parcel.
- c. As the Board will note, the shape (configuration) of the proposed single-family residential lots is, in many cases, very irregular.
- d. It should be noted that the application property is not within an existing Town sewer district. Therefore, the Applicant must obtain outside user permits from the Town Board, if connections to the sewer collection system are proposed.

Inasmuch as the zoning bulk requirements are based on the availability of central services, the Applicant should obtain the commitment for outside user permits before the Planning Board grants preliminary approval.

- e. The required bulk information shown on the plan appears correct for the R-3 Zone. It is noted that some of the lots may have difficulty meeting the minimum lot width requirement, measured at the front yard setback. An expanded bulk table should be provided, to verify bulk compliance of each lot.
- f. The Board should discuss the condition of Dean Hill Road and the schedule for the necessary improvement of same. Currently, it is questioned whether the lots would be buildable, given the current condition of the roadway.

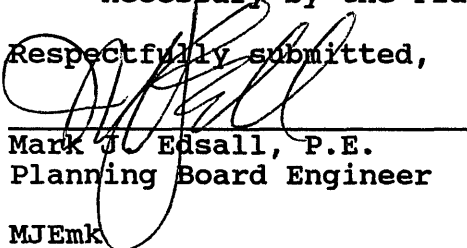
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-3-

PROJECT NAME: BENEDICT POND ESTATES
MAJOR SUBDIVISION - PHASE II
PROJECT LOCATION: DEAN HILL ROAD
SECTION 65-BLOCK 1-LOTS 55, 56, 51.1 AND 51.2
SECTION 85-BLOCK 1-LOT 13
PROJECT NUMBER: 93-2
DATE: 13 JANUARY 1993

- g. The plan should be made clear as to the location (direction) for sewer connection of each of the lots. Of particular concern is the connection of any laterals into sewers within the private roads, the location of the "terminus" manhole of such branch line, and the limits of any Town easements for the sewers in said private roads.
4. Once the Planning Board has made a concept review of this application, further detailed reviews can be made, as deemed necessary by the Planning Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:BENEDIC.mk



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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WILLIAM J. HAUSER, P.E.
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**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

10-10⁴⁰

TOWN/VILLAGE OF NEW Windsor P/B # 93-2

WORK SESSION DATE: 2 Feb 1995 APPLICANT RESUB.
REQUIRED: 2 gpf

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Benedict Road Ph. II subd.

PROJECT STATUS: NEW _____ OLD _____

REPRESENTATIVE PRESENT: John Tarolli & Mike Petrone

MUNIC REPS PRESENT: BLDG INSP. X
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) [Signature]

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Birch & Ash are private roads - OMAT has title ownership
- They need to go back to T/B re outside user permits incl Lot 21
- Get Andy Krieger & MJE copy of deeds
- Ps may wish to try Mact agent re two roads
- Non-conf - "not a building lot" @ end of Ash must be deleted
- 56 & most of 51.1 went back to Benedict
- realign of 1/4 both Benedict & 51.2 (Mr. Petrone)
- need 1/4 change first.
- Andy K must OK use of releases re new 1/4
- Possible Birch Drive connection to Bear Hill

4MJE91 pbwsform



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

(914)563-4630

September 14, 1993
FAX: 914-563-4693

Mr. Michael M. Petrone
P. O. Box 324
Tuxedo Park, N. Y. 10987

RE: BENEDICT POND II - SUBDIVISION ON DEAN HILL ROAD
SEWER CONNECTIONS

Dear Mr. Petrone:

This letter is in response to your letter of August 9, 1993 and several phone conversations concerning the above subject. You requested that Lots 13 through 25 be given outside user permits by the town. After reviewing your request with the engineers, it has been determined that the following outside user permits will be granted:

Lot 13 - May be installed by alternate route between Lot 2 and Lot 3 as shown on Map #9499 to Mt. Airy Road;

Lot 14 - Okay

Lot 15 - Okay

Lot 16 - Okay

Lot 17 - Okay

Lot 18 - Okay

Lot 19 - Okay

Lot 20 - Okay

Lot 21 - An outside user permit will not be granted since the lateral along Birch Drive will be too long. A permit will be issued when the sewer main is extended to the end of Birchwood Drive.

Lot 22 - Notwithstanding there is a considerable length of lateral in the street, the town will grant an outside user permit for this since the manhole is located near the end of the street and it would be impractical to extend the sewer main.

A copy of this letter will be forwarded to the Engineer and to the Planning Board. Upon approval and upon request by you, the town will prepare an outside user agreement and forwarded to your customers for signature.

Very truly yours,

A handwritten signature in cursive script that reads "George A. Green".

GEORGE A. GREEN, Supervisor

JTS/PAB

cc: Mark J. Edsall, P. E.
Planning Board ✓

MAJOR SUBDIVISION FEES:APPLICATION FEE.....\$ 150.00**ESCROW:****RESIDENTIAL:**4 LOTS @ 150.00 (FIRST 4 LOTS).....\$ 600.005 LOTS @ 75.00 (ANY OVER 4 LOTS).....\$ 375.00**COMMERCIAL:**

____ LOTS @ 400.00 (FIRST 4 LOTS).....\$ _____

____ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$ _____

TOTAL ESCROW DUE....\$ 975.00

* * * * *

APPROVAL FEES MAJOR SUBDIVISION:PRE-PRELIMINARY PLAT APPROVAL.....\$ 100.00

PRELIMINARY PLAT APPROVAL (150.00 OR 15.00/LOT).....\$ _____

FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ _____

FINAL PLAT SECTION FEE.....\$ 150.00

BULK LAND TRANSFER...(\$100.00).....\$ _____

TOTAL SUBDIVISION APPROVAL FEES.....\$ _____

* * * * *

RECREATION FEES:

____ LOTS @ \$1000.00 PER LOT.....\$ _____

* * * * *

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ _____

PLANNING BOARD ATTORNEY FEES.....\$ _____

MINUTES OF MEETINGS.....\$ _____

OTHER.....\$ _____

* * * * *

PERFORMANCE BOND AMOUNT.....\$ _____

5% OF ABOVE AMOUNT.....\$ _____

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ _____

4% OF FIRST \$50,000.00 OF ABOVE:.....\$ _____

2% OF REMAINDER OF ABOVE:.....\$ _____

TOTAL INSPECTION FEE DUE:.....\$ _____

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

SUBJECT: Benedict Pond Estates II

DATE: January 2, 2002

Planning Board Reference Number: PB-93-2

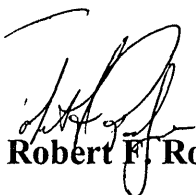
Dated: 18 December 2001

Fire Prevention Reference Number: FPS-02-001

A review of the above referenced subject subdivision plan was completed on 2 January 2002.

This subdivision plan is acceptable.

Plans Dated: 16 December 2001 Revision 6


Robert F. Rodgers

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER:

93-2

DATE PLAN RECEIVED:

DEC 18 2001

The maps and plans for the Site Approval

Subdivision ✓ as submitted by

for the building or subdivision of

BENEDICT POND ESTATES II has been

reviewed by me and is approved

disapproved ✓

If disapproved, please list reason

- 1) NO CLEANOUTS ON SEWER LATERALS FOR LOTS 1+2
- 2) CLEANOUTS SHOULD BE AS CLOSE AS PRACTICAL TO HOUSE WALL, AND AT LEAST EVERY 100' THEREAFTER

HIGHWAY SUPERINTENDENT

DATE

WATER SUPERINTENDENT

DATE

J.P. [Signature]
SANITARY SUPERINTENDENT

1/4/02
DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER:

93-2

DATE PLAN RECEIVED:

DEC 18 2001

The maps and plans for the Site Approval

Subdivision as submitted by

for the building or subdivision of

Benedict Good Estate

has been

reviewed by me and is approved L

~~disapproved~~

~~If disapproved, please list reason~~

Water is available for this project

HIGHWAY SUPERINTENDENT

DATE

WATER SUPERINTENDENT

DATE

SANITARY SUPERINTENDENT

DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER:

93-21

DATE PLAN RECEIVED:

DEC 18 2001

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved _____,

disapproved _____.

If disapproved, please list reason _____

Approved Subject to the land transfer completed

Sherry Kroll 1-23-01
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

RECEIVED

DEC 06 2001

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

N.W. HIGHWAY DEPT.

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93-2

Please return
by 12/10/01

DATE PLAN RECEIVED: _____

RECEIVED

NOV 10 2001

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved _____,

disapproved _____.

If disapproved, please list reason _____

Approval subject to the sale of
property being negotiated by the
town attorney

Herry Hull 12/10/01
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

SUBJECT: Benedict Pond Estates II

DATE: December 6, 2001

Planning Board Reference Number: PB-93-2

Dated: 10 November 2001

Fire Prevention Reference Number: FPS-01-065

A review of the above referenced subject subdivision plan was conducted on 6 December 2001.

This subdivision plan is acceptable.

Plans Dated: 24 October 2001 Revision 5



**Robert F. Rodgers
Fire Inspector**



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93-2

DATE PLAN RECEIVED: RECEIVED
NOV 10 2001

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

Benedict Bond Estates _____ has been

reviewed by me and is approved ✓ _____

~~disapproved~~ _____

If disapproved, please list reason _____

Water is available for this project

HIGHWAY SUPERINTENDENT _____ DATE _____

Steve D'Amico 12-7-01
WATER SUPERINTENDENT _____ DATE _____

SANITARY SUPERINTENDENT _____ DATE _____



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 93-2
WORK SESSION DATE: 5 Sept 01 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: not now REQUIRED: resubs later
PROJECT NAME: Omat
PROJECT STATUS: NEW _____ OLD _____
REPRESENTATIVE PRESENT: John T/Fred L.
MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. _____
ENGINEER X
PLANNER X
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- 7 lots before } Larry now has right
7 lots now } to take over application
make sure we have meeting to review
dedication of road plus prop next
door; possible sliver of "black hole"
was there a P/H
WD # 13 ? verify
~~SA # 23~~ ck if this is in district
went to Amersbach re district

CLOSING STATUS

- ____ Set for agenda
____ possible agenda item
____ Discussion item for agenda
____ ZBA referral on agenda

pbwsform 10MJE98



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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor

P/B # 93 - 2

WORK SESSION DATE: 22 Feb 01

APPLICANT RESUB.
REQUIRED: later

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Omat

PROJECT STATUS: NEW _____ OLD _____

REPRESENTATIVE PRESENT: John T

MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- difficulty to construct short road off re-aligned
Dean Hill Rd - alignment problem
- loss ded of Dean Hill separately.
- Mike talk to Henry + George re desire
to get Dean Hill dedicated ASAP
- pass Petrone pick up LS + AH fees
- pass cost to fix Dean Hill toward Mt Airy
- make sure easement exists thru Petrone + Mc Donnell

CLOSING STATUS

- Set for agenda
possible agenda item
Discussion item for agenda
ZBA referral on agenda

pbwsform 10MJ98



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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF

New Windsor

P/B #

93-2

WORK SESSION DATE:

10 Nov 99

APPLICANT RESUB.

REQUIRED:

new plan

REAPPEARANCE AT W/S REQUESTED:

No

PROJECT NAME:

Benedict Pond

PROJECT STATUS: NEW

OLD

REPRESENTATIVE PRESENT:

John Tarolli/Mike Petrone

MUNIC REPS PRESENT: BLDG INSP.

FIRE INSP.

ENGINEER

PLANNER

P/B CHMN.

OTHER (Specify)

rich
X

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

2 lot sub

needs variance for

R-3 bulk same

Lot width definition changed (1996)

CLOSING STATUS

- ☒ Set for agenda
☐ possible agenda item
☐ Discussion item for agenda
☒ ZBA referral on agenda

pbwsform 10MJE98

he says for 12/8 mtg



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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

(TOWN/VILLAGE OF NEW WINDSOR) P/B # 93 - 2
WORK SESSION DATE: 17 JUNE 98 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: Yes later REQUIRED: New plan later
PROJECT NAME: Benedict Panel (Ormat)
PROJECT STATUS: NEW ~~Q~~ OLD X
REPRESENTATIVE PRESENT: John Tarolli / Mike Petrone
MUNIC. REPS PRESENT: BLDG INSP.
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- need letter to Supervisor requesting outside user permits
- later, need coordinated plan with Shannon Acres
- need later Town to decide on abandonment of excess property to Petrone
- coord w/ prop line w/ Drabick now (get surveys to match)



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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR P/B # 93 - 2
WORK SESSION DATE: 21 MAY 97 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: Yes REQUIRED: later
PROJECT NAME: Benedict Land II
PROJECT STATUS: NEW OLD
REPRESENTATIVE PRESENT: Mike Perrone
MUNIC REPS PRESENT: BLDG INSP.
FIRE INSP. Asst Rich
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- gen disc re status Blumenfeld & H.V. Dunt
- got letter re outside user agmt.
- disc paving in front of his property
and he questions whether HV Dunt
will be paving in front of it
- ck status of app appl and use of
private road for "land locked" Benedict
parcel

4MJE91 pbwsform



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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW Windsor P/B # 93 - 2

WORK SESSION DATE: 6 OCT 99 APPLICANT RESUB.
REQUIRED: later

REAPPEARANCE AT W/S REQUESTED: yes

PROJECT NAME: Benedict Road

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: John Tarolli

MUNIC REPS PRESENT: BLDG INSP.
FIRE INSP. Rich
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- disc abandonment of old town road property
ad Shannon property - new road, etc
- "black hole" between properties.
- 2 drives are problem w/ grades
use easement & dig for 15%
- want to take 2 w/west) sep app
lot (13 & 14)

pbwsform 10MJE98

CLOSING STATUS

- Set for agenda
- possible agenda item
- Discussion item for agenda
- ZBA referral on agenda



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 2

DATE PLAN RECEIVED: JAN - 5 1993

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved No Water,
disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT DATE

[Signature]
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 11 January 1993
SUBJECT: Benedict Pond Estates II

PLANNING BOARD REFERENCE NUMBER: PB-93-2
DATED: 5 January 1993

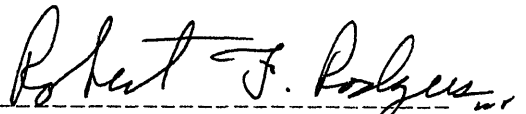
FIRE PREVENTION REFERENCE NUMBER: FPS-93-001

A review of the above referenced subject subdivision plan was conducted on 8 January 1993.

This subdivision plan is approved.

Please supply this office with two (2) subdivision plans showing the necessary E-911 symbols every 50 feet along Dean Hill Rd. from Mt. Airy Rd. to end of subdivision.

PLANS DATED: October 1992.


Robert F. Rodgers: CCA
Fire Inspector

RFR:mr
Att.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

13



TOWN VILLAGE OF

New Windsor

P/B # 3 - 2

WORK SESSION DATE: 1 Dec 92

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: _____

PROJECT NAME: Benedict Pond II

PROJECT STATUS: NEW _____ OLD _____

REPRESENTATIVE PRESENT: Mike Petrone John Tarulli

MUNIC REPS PRESENT: BLDG INSP. X
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

* Ash Street & Birch Drive Bl to check
if Town private.

* locate other. Birch. sewer mtr

* aceraeje of remaining lot

* show existing 1/2 betw Petrone & Omat

* myz comment on large parcel with

one access - overall dunt plan

- like Rd side of pond land locked.

* remove Not a building lot at this time

* check slope off. Mt. Airy - w/t road specs

* outside user permits - G/G =

* Joint application Omat & Petrone?

Ref
State of
Town
Comm.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF

New Windsor

P/B #

93-2

WORK SESSION DATE:

3 Nov 92

APPLICANT RESUB.

REQUIRED:

yes

REAPPEARANCE AT W/S REQUESTED:

yes

PROJECT NAME:

Benedict II

PROJECT STATUS: NEW

OLD

REPRESENTATIVE PRESENT:

Mike Petrone / Bill Norton

MUNIC REPS PRESENT:

BLDG INSP.

MAC

FIRE INSP.

x

ENGINEER

x

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

① new lot 14 - will tie into old or new gravity line

② show where improvements of Bear Hill end

③ sewer add'l lots (waterfront) on Pond & Bear Hill Rd.

near prop of McDonnell (realignment of Bear Hill Dog Leg)

④ Possible extension of Birch

discussion only



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3.

TOWN/VILLAGE OF New Windsor P/B # 93 - 2
WORK SESSION DATE: 5 May 1992 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: Yes REQUIRED: Yes.
PROJECT NAME: Benedict Pond. - Phase II
PROJECT STATUS: NEW x OLD _____
REPRESENTATIVE PRESENT: Frank Doupona
MUNIC REPS PRESENT: BLDG INSP. x
FIRE INSP. x
ENGINEER x
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Retraverse - Benedict Ponds.
Prev. Subdiv. not in sewer district, getting outside user permits
from T/B
• VERY PRELIM CONCEPT Disc.

Try to find
letter re
being in district



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision ☒ Lot Line Change _____ Site Plan _____ Special Permit _____

Tax Map Designation: Sec. 05 Block 1 Lots 51.2, 56.2

1. Name of Project BENEDICT PONDESTATES II, SUBDIVISION

2. Owner of Record SDL DEVELOPMENT CORP. Phone 631-692-6071

Address: P.O. BOX 2227 HUNTINGTON, N.Y. 11743
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant SDL DEVELOPMENT CORP. Phone 631-692-6071

Address: P.O. BOX 2227 HUNTINGTON, NY 11743
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan MERCURIO NORTON TAROW, PC Phone (845) 744-3620

Address: P.O. BOX 166 PINE BUSH NY
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney DONALD MIRRO Phone 294-5401

Address PO BOX B GOSHEN NY 10924
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:
MERCURIO, NORTON or TAROW 845(744-3620)
(Name) (Phone)

7. Project Location:

On the SOUTH side of DEAN HILL RD. 1200 feet
(Direction) (Street) (No.)
WEST of RILEY RD.
(Direction) (Street)

8. Project Data: Acreage 8.1 AC Zone R-3 School Dist. CORNWALL & NEWBURGH

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No X

***This information can be verified in the Assessor's Office.**

***If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".**

10. Description of Project: (Use, Size, Number of Lots, etc.) 7 LOTS
(SIZE & SEE PLANS)

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no ✓

12. Has a Special Permit previously been granted for this property? yes _____ no ✓

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK),

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

22 DAY OF January 2002
[Signature]
NOTARY PUBLIC

[Signature]
APPLICANT'S SIGNATURE
FREDRIC C LARY
Please Print Applicant's Name as Signed

USA RAMOS-LOPEZ
NOTARY PUBLIC, State of New York
Notary # 0145803273
Qualified in Nassau County
Commission Expires July 15, 2002

TOWN USE ONLY:

DATE APPLICATION RECEIVED

APPLICATION NUMBER

TOWN OF NEW WINDSOR PLANNING BOARD

MINOR SUBDIVISION CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. ✓ Environmental Assessment Statement
- *2. NA Proxy Statement
3. ✓ Application Fees
4. ✓ Completed Checklist

II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

1. ✓ Name and address of Applicant.
- *2. ✓ Name and address of Owner.
3. ✓ Subdivision name and location.
4. ✓ Tax Map Data (Section-Block-Lot).
5. ✓ Location Map at a scale of 1" = 2,000 ft.
6. ✓ Zoning table showing what is required in the particular zone and what applicant is proposing.
7. ✓ Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. ✓ Date of plat preparation and/or date of any plat revisions.
9. ✓ Scale the plat is drawn to and North Arrow.
10. ✓ Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11. ✓ Surveyor's certification.
12. ✓ Surveyor's seal and signature.

*If applicable.

13. ✓ Name of adjoining owners.
14. NA Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. ✓ Flood land boundaries.
16. NA. A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17. ✓ Final metes and bounds.
18. ✓ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical centerline of the street.
19. ✓ Include existing or proposed easements.
20. ✓ Right-of-Way widths.
21. NA. Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. ✓ Lot area (in square feet for each lot less than 2 acres).
23. ✓ Number the lots including residual lot.
24. ✓ Show any existing waterways.
- *25. NA A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26. ✓ Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. ✓ Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
28. ✓ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
(TO BE SHOWN ON PREL. PLAN)

*If applicable.

29. NA. Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. NA. Provide "septic" system design notes as required by the Town of New Windsor.
31. ✓ Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. — Indicate percentage and direction of grade.
33. ✓ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. ✓ Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. NA Indicate location of street or area lighting (if required).

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: John Taralli PE/LS
Licensed Professional

Date: 12 / 10 / 92

State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

93 - 2

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☐ A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- ☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions

(OMAT INC & PETROE SUBDIVISION) BENEDICT POND ESTATES II

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

ART 1—PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION BENEDICT POND ESTATES II		
LOCATION OF ACTION (Include Street Address, Municipality and County) MT AIRY RD / DEAN HILL RD / ASH ST. / BIRCH DR. TOWN OF NEW WINDSOR, OR. CO.		
NAME OF APPLICANT/SPONSOR BENEDICT POND ESTATES II	BUSINESS TELEPHONE (914) 783-9407	
ADDRESS 40 M. PETRONE RD #1, BOX 673 D		
CITY/PO MONROE	STATE N.Y.	ZIP CODE 10950
NAME OF OWNER (If different) OMAT INC., MICHAEL PETRONE.	BUSINESS TELEPHONE () —	
ADDRESS SAME		
CITY/PO SAME	STATE —	ZIP CODE —
DESCRIPTION OF ACTION 10 LOT RESIDENTIAL SUBDIVISION. MUNICIPAL SEWER SYSTEM FOR SANITARY SEWAGE, INDIVIDUAL LOT WELLS FOR WATER SUPPLY.		

Please Complete Each Question—Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☒ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Other _____

2. Total acreage of project area: ± 73 acres. *

APPROXIMATE ACREAGE

Meadow or Brushland (Non-agricultural)

PRESENTLY	AFTER COMPLETION
<u>± 17</u> acres	<u>± 15</u> acres
<u>± 40</u> acres	<u>± 22</u> acres
<u>—</u> acres	<u>—</u> acres
<u>—</u> acres	<u>—</u> acres
<u>± 13</u> acres	<u>± 13</u> acres
<u>—</u> acres	<u>—</u> acres
<u>± 1</u> acres	<u>± 3</u> acres
<u>± 2</u> acres	<u>± 20</u> acres

Forested

Agricultural (Includes orchards, cropland, pasture, etc.)

Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)

Water Surface Area

Unvegetated (Rock, earth or fill)

Roads, buildings and other paved surfaces

Other (Indicate type) LAWNS

3. What is predominant soil type(s) on project site? MD MEDIUM GRAVELLY SILT LOAM

- a. Soil drainage: ☐ Well drained 70 % of site ☐ Moderately well drained 20 % of site
☐ Poorly drained 10 % of site

- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? — acres. (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☐ Yes ☒ No

- a. What is depth to bedrock? 23' (in feet)

* INCLUDES PREVIOUS 12 LOTS

5. Approximate percentage of proposed project site with slopes: ☐ 0-10% 40 % ☐ 10-15% 30 %
☐ 15% or greater 30 %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? ☐ Yes ☒ No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No
8. What is the depth of the water table? 23 (in feet) * IN PROJECT IMPROVEMENT AREA.
9. Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☒ No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
☐ Yes ☒ No According to _____
Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
☐ Yes ☒ No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
☐ Yes ☒ No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
☐ Yes ☒ No
15. Streams within or contiguous to project area: NONE
a. Name of Stream and name of River to which it is tributary MOODNA CREEK.
16. Lakes, ponds, wetland areas within or contiguous to project area:
a. Name BENEDICT POND b. Size (In acres) ± 13
17. Is the site served by existing public utilities? ☒ Yes ☐ No
a) If Yes, does sufficient capacity exist to allow connection? ☒ Yes ☐ No
b) If Yes, will improvements be necessary to allow connection? ☒ Yes ☐ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor ± 65 acres. (INCLUDES 4 LOTS OF PREVIOUS SUBD.)
- b. Project acreage to be developed: ± 61 acres initially; ± 61 acres ultimately.
- c. Project acreage to remain undeveloped — acres.
- d. Length of project, in miles: — (If appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed — %;
- f. Number of off-street parking spaces existing 0; proposed 20.
- g. Maximum vehicular trips generated per hour ± 20 (upon completion of project)?
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|-------------|------------|-----------------|-------------|
| Initially | <u>22</u> | <u>—</u> | <u>—</u> | <u>—</u> |
| Ultimately | <u>28 *</u> | <u>—</u> | <u>—</u> | <u>—</u> |
- i. Dimensions (in feet) of largest proposed structure 30' height; 50' width; 70' length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? — ft.

* INCLUDES PREVIOUS SUBDIVISION & POTENTIAL 6 MORE LOTS ON LARGE REMAINING PARCEL (LOT 22)

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 0 tons/cubic yards
3. Will disturbed areas be reclaimed? ☒ Yes ☐ No ☐ N/A
- a. If yes, for what intended purpose is the site being reclaimed? LAUNDRY
- b. Will topsoil be stockpiled for reclamation? ☒ Yes ☐ No
- c. Will upper subsoil be stockpiled for reclamation? ☒ Yes ☐ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? ± 20 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
☐ Yes ☒ No
6. If single phase project: Anticipated period of construction 36 months, (including demolition).
7. If multi-phased: —
- a. Total number of phases anticipated — (number).
- b. Anticipated date of commencement phase 1 — month — year, (including demolition).
- c. Approximate completion date of final phase — month — year.
- d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No
8. Will blasting occur during construction? ☐ Yes ☒ No
9. Number of jobs generated: during construction 20; after project is complete 0
10. Number of jobs eliminated by this project 0
11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No If yes, explain —
12. Is surface liquid waste disposal involved? ☐ Yes ☒ No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount —
- b. Name of water body into which effluent will be discharged —
13. Is subsurface liquid waste disposal involved? ☒ Yes ☐ No Type DOMESTIC SEWAGE
14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No
Explain —
15. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☒ No
16. Will the project generate solid waste? ☒ Yes ☐ No
- a. If yes, what is the amount per month 5 tons
- b. If yes, will an existing solid waste facility be used? ☒ Yes ☐ No
- c. If yes, give name OR. Co. LANDFILL; location NEW HAMPTON
- d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No
- e. If Yes, explain —
17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No
- a. If yes, what is the anticipated rate of disposal? — tons/month.
- b. If yes, what is the anticipated site life? — years.
18. Will project use herbicides or pesticides? ☐ Yes ☒ No
19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No
20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No
21. Will project result in an increase in energy use? ☒ Yes ☐ No
If yes, indicate type(s) ELECT. HEATING OIL.
22. If water supply is from wells, indicate pumping capacity > 5 gallons/minute.
23. Total anticipated water usage per day ± 6600 gallons/day.
24. Does project involve Local, State or Federal funding? ☐ Yes ☒ No
If Yes, explain —

25. Approvals Required:

	Type	Submittal Date
City, <u>Town</u> , Village Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
City, <u>Town</u> , Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>12/92</u>
City, <u>Town</u> Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
City, <u>County</u> Health Department	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>REALTY SUBDIVISION</u>
Other <u>Local</u> Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Other Regional Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
State Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? ☒ Yes ☐ No
If Yes, indicate decision required:
☐ zoning amendment ☐ zoning variance ☐ special use permit ☒ subdivision ☐ site plan
☐ new/revision of master plan ☐ resource management plan ☐ other _____
- What is the zoning classification(s) of the site? R-3
- What is the maximum potential development of the site if developed as permitted by the present zoning?
± 22
- What is the proposed zoning of the site? NA
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?
NA
- Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒ Yes ☐ No
- What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?
RESIDENTIAL R-3 (TN ON N.W.).
- Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? ☒ Yes ☐ No
- If the proposed action is the subdivision of land, how many lots are proposed? 22-28
a. What is the minimum lot size proposed? 32,670 S.F.
- Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? ☒ Yes ☐ No
a. If yes, is existing capacity sufficient to handle projected demand? ☒ Yes ☐ No
- Will the proposed action result in the generation of traffic significantly above present levels? ☒ Yes ☐ No
a. If yes, is the existing road network adequate to handle the additional traffic? ☒ Yes ☐ No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name RETROVE / CMAT INC. Date 12/10/92
 Signature [Signature] Title PROJECT ENGINEER

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- Answer each of the 19 questions in PART 2. Answer **Yes** if there will be any impact.
- Maybe** answers should be considered as **Yes** answers.
- If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

- Will the proposed action result in a physical change to the project site?
☐ NO ☐ YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts _____

- Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) ☐ NO ☐ YES

- Specific land forms: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON WATER

3. Will proposed action affect any water body designated as protected?
(Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL) ☐ NO ☐ YES

Examples that would apply to column 2

- Developable area of site contains a protected water body.
- Dredging more than 100 cubic yards of material from channel of a protected stream.
- Extension of utility distribution facilities through a protected water body.
- Construction in a designated freshwater or tidal wetland.
- Other impacts: _____

4. Will proposed action affect any non-protected existing or new body of water? ☐ NO ☐ YES

Examples that would apply to column 2

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts: _____

5. Will Proposed Action affect surface or groundwater quality or quantity? ☐ NO ☐ YES

Examples that would apply to column 2

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed Action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day.
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed Action will allow residential uses in areas without water and/or sewer services.
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts: _____

6. Will proposed action alter drainage flow or patterns, or surface water runoff? ☐ NO ☐ YES

Examples that would apply to column 2

- Proposed Action would change flood water flows.

1 Small Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

- | 1
Small to Moderate Impact | 2
Potential Large Impact | 3
Can Impact Be Mitigated By Project Change |
|--|--|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
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<input type="checkbox"/>
<input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> No |

11. Will proposed action affect aesthetic resources? ☐ NO ☐ YES
(If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts: _____

12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance? ☐ NO ☐ YES

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Any impact to an archaeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts: _____

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts: _____

IMPACT ON TRANSPORTATION

14. Will there be an effect to existing transportation systems?

☐ NO ☐ YES

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts: _____

IMPACT ON ENERGY

15. Will proposed action affect the community's sources of fuel or energy supply? ☐NO ☐YES

☐ NO ☐ YES

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts: _____

NOISE AND ODOR IMPACTS

16. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? ☐NO ☐YES

☐ NO ☐ YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts: _____

IMPACT ON PUBLIC HEALTH

17. Will Proposed Action affect public health and safety?

☐ NO ☐ YES

Examples that would apply to column 2

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.
- Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

18. Will proposed action affect the character of the existing community?
☐ NO ☐ YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed action will conflict with officially adopted plans or goals.
- Proposed action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

19. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?
☐ NO ☐ YES

**If Any Action in Part 2 Is Identified as a Potential Large Impact or
If You Cannot Determine the Magnitude of Impact, Proceed to Part 3**

Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

Appendix B
State Environmental Quality Review
Visual EAF Addendum

This form may be used to provide additional information relating to Question 11 of Part 2 of the Full EAF.

(To be completed by Lead Agency)

Visibility	Distance Between Project and Resource (in Miles)				
	0-1/4	1/4-1/2	1/2-3	3-5	5+
1. Would the project be visible from:					
• A parcel of land which is dedicated to and available to the public for the use, enjoyment and appreciation of natural or man-made scenic qualities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• An overlook or parcel of land dedicated to public observation, enjoyment and appreciation of natural or man-made scenic qualities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• A site or structure listed on the National or State Registers of Historic Places?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• State Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• The State Forest Preserve?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• National Wildlife Refuges and state game refuges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• National Natural Landmarks and other outstanding natural features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• National Park Service lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Rivers designated as National or State Wild, Scenic or Recreational?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Any transportation corridor of high exposure, such as part of the Interstate System, or Amtrak?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• A governmentally established or designated interstate or inter-county foot trail, or one formally proposed for establishment or designation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• A site, area, lake, reservoir or highway designated as scenic?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Municipal park, or designated open space?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• County road?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Local road?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Is the visibility of the project seasonal? (i.e., screened by summer foliage, but visible during other seasons)

☐ Yes ☐ No

3. Are any of the resources checked in question 1 used by the public during the time of year during which the project will be visible?

☐ Yes ☐ No

Comp. by Gary & HVS Knoll
7/17/01

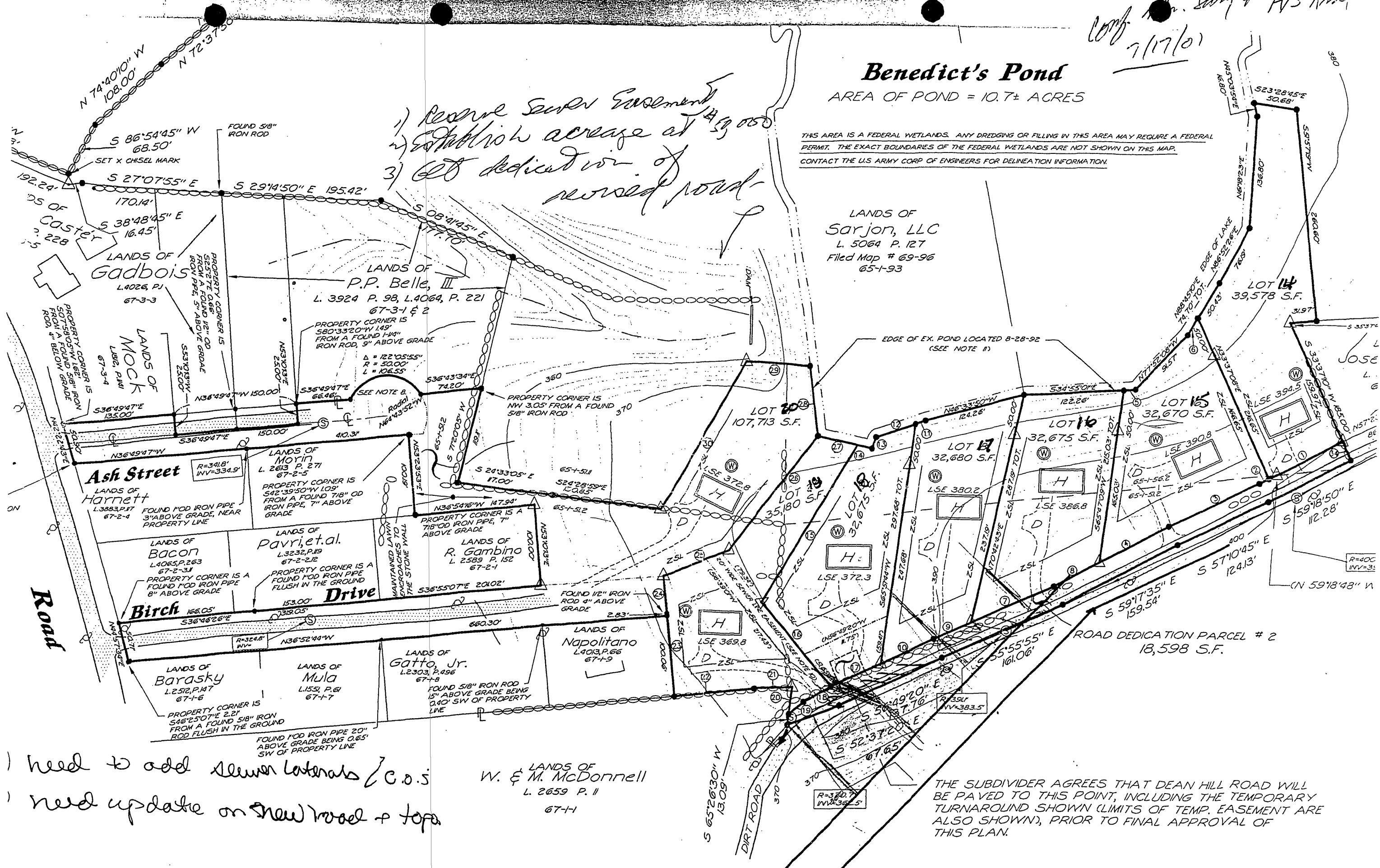
Benedict's Pond

AREA OF POND = 10.7± ACRES

THIS AREA IS A FEDERAL WETLANDS. ANY DREDGING OR FILLING IN THIS AREA MAY REQUIRE A FEDERAL PERMIT. THE EXACT BOUNDARIES OF THE FEDERAL WETLANDS ARE NOT SHOWN ON THIS MAP. CONTACT THE U.S. ARMY CORP OF ENGINEERS FOR DELINEATION INFORMATION.

LANDS OF
Sarjon, LLC
L. 5064 P. 127
Filed Map # 69-96
65-1-93

1) Reserve Sewer Easement
2) Subdivided acreage at 49,000
3) EOT dedication of revised road



1) need to add sewer laterals C.O.S.
1) need update on new road + topo

THE SUBDIVIDER AGREES THAT DEAN HILL ROAD WILL BE PAVED TO THIS POINT, INCLUDING THE TEMPORARY TURNAROUND SHOWN (LIMITS OF TEMP. EASEMENT ARE ALSO SHOWN), PRIOR TO FINAL APPROVAL OF THIS PLAN.

REF 2595 pg 27

party of the first part, and MICHAEL PETRONE residing at 531 Main Street,
New York, New York, 10044

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

----- TEN AND 00/100 (\$10.00) ----- dollars,

lawful money of the United States, and other good and valuable consideration paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or

successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~, situate,

lying and being in the Town of New Windsor, County of Orange, State of
New York, bounded and described as follows:

Section 65

Block 1

Lot 51.2

BEGINNING at a point in the center of Dean Hill Road, said point being the division line between the westerly side of the premises herein described and the easterly side of lands now or formerly of Howard O. Benedict and H. Franklin Benedict; thence running along the center line of Dean Hill Road, South 59° 18' 50" East, 26 feet to a point; thence along the lands now or formerly of Benedict, South 37° 36' 10" East, 674.4 feet to a point; thence along the lands now or formerly of Howard Franklin Benedict, South 28° 04' East, 286.40 feet to a point continuing along the same, South 28° 08' East 117.00 feet to a point; thence a premises designated on the Tax Map for the Town of New Windsor, Section 67 in Block 3, Lot 1, as described in Liber 1612 cp. 1027 and by correction deed in Liber 1626 cp 1145, South 71° 35' West, 128.50 feet to a point; thence continuing along the same, South 38° 33' East, 100 feet to a point, thence along the northerly side of Ash Street and along the land designated on the Tax Map as Section 67 in Block 2, Lot 5, as described in Liber 1438 cp. 420, North 51° 27' East, 150 feet to a point; thence along the lands designated on the Tax Map as Section 67 in Block 2, Lot 1, as described in Liber 1360 cp. 488, North 38° 33' 10" West, 150 feet to a point, continuing along the same, North 51° 27' East, 100 feet to a point in the westerly side of Birch Drive; thence along the westerly side of Birch Drive, North 38° 33' West, 150 feet to a point; thence along the northerly side of Birch Drive and along the northerly side of lands designated on the Tax Map as Section 67 in Block 1, Lot 9, as described in Liber 1300 cp. 491, North 51° 27' East, 150.2 feet to the lands now or formerly of Grace Sunntrock described in Liber 833 cp. 295 and designated on the Tax Map as Section 67 in Block 1 Lot 1; thence along the westerly side of lands now or formerly of Sunntrock in a northerly direction to center line of Dean Hill Road; thence along the center line of Dean Hill Road to the point or place of BEGINNING.

LIBER 2595 PG 26

Ocean Grove, New Jersey, intestate, leaving Mary G. Corliss Gerow, parties of the first part herein, as his only heirs of kin.

LIBER 2595 PG 27

A 291

Standard N.Y.S.T.U. Form 3007
Bargain & sale deed, with covenant against grantor's debt - Ind. or Corp.

BD 63222
JULIUS BLUMBERG, INC. LAW BLANK PUBLISHERS
80 EXCHANGE PL. AT BROADWAY, N. Y. C. 10004

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

C59270

TT
1400⁰⁰

THIS INDENTURE, made the 18th day of December, nineteen hundred and eighty six
BETWEEN

H. FRANKLIN BENEDICT, life tenant of lands under the Last
Will and Testament of Howard O. Benedict, and said H.
FRANKLIN BENEDICT and GERTRUDE C. BENEDICT, Husband and Wife,
both residing at (no number) State Route 94, Town of
Cornwall, County of Orange and State of New York, H. GLENN
BENEDICT, residing at RD 2, Box 426, Last Road, Middletown,
N.Y., LEE C. BENEDICT, residing at Box 146, Newburgh, N.Y.,
and DALE BENEDICT, residing at RD 2, Box 141, Newburgh, N.Y.

party of the first part, and

OMAT, INC., R. D. 1, Box 673 D, in the Town of Monroe,
County of Orange and State of New York 10950

party of the second part,

WITNESSETH, that the party of the first part, in consideration of -----TEN DOLLARS-----
-----(\$10.00)----- dollars,

lawful money of the United States, and other good and valuable consideration paid
by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the

Section 65, Block 1, Lot 56
Section 65, Block 1, Lot 58.2

NEW DEED
12/22/86
R.C.
LIBER 2626 PG 317

PARCEL 1

DESCRIPTION

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point in the easterly line of lands of H.O. Benedict at the northwesterly corner of the lands of Walter H. Gerow, and running thence from said point of beginning the following four courses and distances along the lands of H.O. Benedict:

FIRST: North 48 degrees 28 minutes East, 67.95 feet to a point;

SECOND: North 23 degrees 57 minutes West, 50 feet to a point;

THIRD: North 50 degrees 36 minutes East, 23.80 feet to a point;

FOURTH: North 61 degrees 04 minutes East, 165.56 feet to a point, which point is the corner of a stone wall at the northeasterly corner of the herein described parcel, and running thence along the new division line through the lands of Walter H. Gerow, the following three courses:

FIRST: South 28 degrees 04 minutes East, 286.40 feet, along a stone wall to a point;

SECOND: South 28 degrees 08 minutes East, 117 feet, still along said stone wall to an iron bolt on the west side of said stone wall, the said bolt marking the southeasterly corner of the herein described parcel;

THIRD: South 71 degrees 35 minutes West, 288.50 feet along the northerly side of an old abandoned stone wall to an iron pipe set at the southwesterly corner of the herein described parcel;

RUNNING THENCE along the easterly line of the lands of H.O. Benedict, North 10 degrees 28 minutes West, 135 feet to a point;

RUNNING THENCE, still along the lands of H.O. Benedict, North 32 degrees 39 minutes West, 163 feet to the point or place of BEGINNING.

Containing 2.12 acres of land, be the same more or less.

PARCEL 11

DESCRIPTION

ALL THAT LAND, situate in the Town of New Windsor, Orange County, New York, bounded and described as follows:

BEGINNING at a point, being the intersection of the center line of Mount Airy Road with the westerly bounds of Dean Hill Road;

THENCE from said place of beginning and along the westerly bounds of Dean Hill Road;

SOUTH Thirty-Five Degrees, One Minute, Forty Seconds East, Three Hundred Twenty-Three and Fifty-Six Hundredths Feet (S 35°-01'-40" E, 323.56');)

SOUTH Thirty-Five Degrees, Fifty-Eight Minutes, Fifty Seconds East, One Hundred Thirteen and Twenty-Three Hundredths Feet (S 35°-58'-50" E, 113.23') to a set 5/8" iron rod, flush in the ground, being the northeasterly most corner of lands of Richard T. and Sharon J. Vanasco, Deed Reference Liber 2022, Page 702;

THENCE along the line of lands of said Vanasco, the following three (3) courses and distances;

SOUTH Sixty-Two Degrees, Fifty-Seven Minutes, Five Seconds West, Three Hundred Nine and Ninety-Six Hundredths Feet (S 62°-57'-05" W, 309.96') to a set 5/8" iron rod;

SOUTH Thirty-Five Degrees, Thirty Minutes, Five Seconds East, One Hundred Forty-Four and Forty-Six Hundredths Feet (S 35°-30'-05" E, 144.46') to a set 5/8" iron rod;

NORTH Sixty-Two Degrees, Four Minutes, Forty Seconds East, Three Hundred Ten and Forty-Eight Hundredths Feet (N 62°-04'-40" E, 310.48') generally following the line of the remains of a stone wall the latter portion of the course to a set 5/8" iron rod on the westerly bounds of Dean Hill Road;

THENCE along said westerly bounds, the following four (4) courses and distances, namely;

SOUTH Thirty-Five Degrees, Fifty-Eight Minutes, Fifty Seconds East, One Hundred Eighty and Thirty-Six Hundredths Feet (S 35°-58'-50" E, 180.36');)

SOUTH Thirty-Seven Degrees, Twenty-Six Minutes, Five Seconds East, One Hundred Sixty-Six and Seventy-Five Hundredths Feet (S 37°-26'-05" E, 166.75');)

-continued-

LIBER 2626 PG 319

wall on the westerly side of a 14" hickory tree;

THENCE continuing along the line of lands of Benedict and along the line of lands of Alice M. Mula, Deed Reference Liber 1825, Page 501 and generally following the direction of the stone wall, South Eight Degrees, Forty-One Minutes, Forty-Five Seconds East, Three Hundred Twelve & Seventy Hundredths Feet (S 08°-41'-45" E, 312.70') to a point on the southeasterly side of an 18" hickory tree standing on the westerly side of a stone wall;

THENCE continuing along the line of lands of Mula and along the line of lands of Linda Marie Dughl, Deed Reference Liber 2076, Page 748, South Twenty-Nine Degrees, Fourteen Minutes, Fifty Seconds East, One Hundred Ninety-Five and Forty-Two Hundredths Feet (S 29°-14'-50" E, 195.42') to a found 5/8" iron rod in a stone wall;

THENCE along the line of lands of John A. Dadbois, Deed Reference Liber 2048, Page 159 and along the line of lands of Rufus and Beulah McCaster, Deed Reference Liber 1756, Page 940, South Twenty-Seven Degrees, Seven Minutes, Fifty-Five Seconds East, (S 27°-07'-55" E) generally following the line of a stone wall, One Hundred Seventy and Fourteen Hundredths Feet (170.14');

THENCE along the line of lands of Charles S. Satterly, Deed Reference Liber 2018, Page 1120, South Thirty-Eight Degrees, Forty-Eight Minutes, Forty-Five Seconds East, Sixteen and Forty-Five Hundredths Feet (S 38°-48'-45" E, 16.45') to a set 5/8" iron rod;

SOUTH Eight Degrees, Fifty Minutes, Forty-Five Seconds East, One Hundred Ninety-Two and Twenty-Four Hundredths Feet (S 08°-50'-45" E, 192.24') to a set 5/8" iron rod on the line intended to be the Town line between New Windsor and Cornwall, said iron rod also being North Eighty-Two Degrees, Twenty-One Minutes, Zero Seconds West, Nineteen and Two Hundredths Feet (N 82°-21'-00" W, 19.02') from a found "X" on a marble monument claimed by neighbors to be on the Town Line;

THENCE over and through the lands of Howard O. Benedict, Deed Reference Liber 779, Page 558, North Eighty-Two Degrees, Twenty-One Minutes, Zero Seconds West (N 82°-21'-00" W) along the presumed Town Line, Twelve and Fifty-Two Hundredths Feet (12.52') to a set 5/8" iron rod in a stone wall on the line of lands of Charles Satterly, Deed Reference Liber 1002, Page 01;

THENCE along the line of lands of Charles Satterly, the following two (2) courses and distances;

NORTH Eight Degrees, Fifty Minutes, Forty-Five Seconds West, (N 08°-50'-45" W) generally following the line of a stone wall, One Hundred Eighty-Three and Eight Hundredths Feet (183.08') to a set "X" chisel mark on a stone at the corner of stone walls and South Eighty-Six Degrees, Fifty-Four Minutes, Forty-Five Seconds West (S 86°-54'-45" W) generally following the line of a stone wall, Sixty-Eight and Fifty Hundredths Feet (68.50') to an angle point in the stone wall being the northeasterly corner of lands of David and Alice Mae Dundy, Deed Reference Liber 642, Page 559;

THENCE along the line of lands of said Dundy, the following three (3) courses and distances, namely;

NORTH Seventy-Four Degrees, Forty Minutes, Ten Seconds West (N 74°-40'-10" W) generally following the line of a stone wall, One Hundred Eight and Zero Hundredths Feet (108.00');

SOUTH Forty-One Degrees, Fifty-Two Minutes, Ten Seconds East, One Hundred Seventy-Six and Seventy-Nine Hundredths Feet (S 41°-52'-10" E, 176.79');;

SOUTH Forty-Seven Degrees, Nine Minutes, Five Seconds East, Eighty-Six and Sixty-Six Hundredths Feet (S 47°-09'-05" E, 86.66') to a set 5/8" iron rod;

THENCE leaving said westerly bounds of Dean Hill Road, North Seventy-Two Degrees, Ten Minutes, Thirty-Five Seconds East, Thirty-Two and Eighty-Nine Hundredths Feet (N 72°-10'-35" E, 32.89') to a point in the presumed center line of Dean Hill Road as located in July of 1986;

THENCE along the center line of Dean Hill Road, as located in July of 1986, approximately 400 feet plus or minus to a point;

THENCE along the center line of said Dean Hill Road, South Fifty-Nine Degrees, Eighteen Minutes, Fifty Seconds East, Twenty-Six and Zero Hundredths Feet (S 59°-18'-50" E, 26.00');

Deed Reference Liber 1235, Page 13

THENCE along the line of lands of Walter H. Gerow South Thirty-Seven Degrees, Thirty-Six Minutes, Ten Seconds East (S 37°-36'-10" E) passing over a set 5/8" iron rod at Sixty-Seven and Fifty-Eight Hundredths Feet (67.58') along the way for a total distance of Six Hundred Seventy-Four and Forty Hundredths Feet (674.40') to a set 5/8" iron rod in a stone wall on the line of lands of Howard Franklin Benedict, Deed Reference Liber 1444, Page 265;

THENCE along the line of said Benedict, the following five (5) courses and distances, namely;

SOUTH Fifty-Eight Degrees, Fifty-Five Minutes, Thirty Seconds West, (S 58°-55'-30" W) generally following a stone wall, the beginning of the course, One Hundred Seventy-Three and Ninety Hundredths Feet (173.90');

SOUTH Fifty-Seven Degrees, Fifty-Nine Minutes, Thirty-Five Seconds West, Twenty-Three and Eighty Hundredths Feet (S 57°-59'-35" W, 23.80');

SOUTH Twenty-Seven Degrees, Twenty-Six Minutes, Ten Seconds East, Fifty and Zero Hundredths Feet (S 27°-26'-10" E, 50.00');

SOUTH Fifty-Seven Degrees, Fifty-Two Minutes, Thirty Seconds West, Seventy-Two and Zero Hundredths Feet (S 57°-52'-30" W, 72.00');

SOUTH Thirty Degrees, Fifty-Two Minutes, Forty-Five Seconds East, (S 30°-52'-45" E) generally following the line of a stone wall, One Hundred Sixty-Three and Zero Hundredths Feet (163.00') to an angle point in the stone

LIBER 2626 PG 320

NORTH Seventy-Two Degrees, Thirty-Seven Minutes, Fifty Seconds West, (N 72°-37'-50" W) generally following the line of a stone wall, One Hundred Seventy-Six and Eighteen Hundredths Feet (176.18') to a set 5/8" iron rod at a stone wall intersection;

NORTH Seventy-Five Degrees, Twenty-Six Minutes, Forty Seconds West, (N 75°-26'-40" W) generally following the line of a stone wall, Thirty-Eight and Twenty-Nine Hundredths Feet (38.29') to an intersection of stone walls;

SOUTH Fourteen Degrees, Forty Minutes, Forty Seconds West, (S 14°-40'-40" W) generally following the line of a stone wall, One Hundred Twenty-Seven and Fifty-Eight Hundredths Feet (127.58') to a point being the northeasterly corner of lands of Eleanor C. Graham, Deed Reference Liber 1952, Page 358;

THENCE along the line of lands of said Graham, the following two (2) courses and distances, namely;

NORTH Seventy-Five Degrees, Thirty-Five Minutes, Zero Seconds West, One Hundred Sixty and Zero Hundredths Feet (N 75°-35'-00" W, 160.00') to a found 1" o.d. iron pipe, 7" below grade in a gravel driveway;

SOUTH Fourteen Degrees, Twenty-Five Minutes, Zero Seconds West, One Hundred Four and Fifty-Three Hundredths Feet (S 14°-25'-00" W, 104.53') to a point being North Fourteen Degrees, Twenty-Five Minutes, Zero Seconds East, Ten and Thirty-Two Hundredths Feet (N 14°-25'-00" E, 10.32') from a found 1" o.d. iron pipe, flush in the ground being the southwesterly corner of lands of said Graham, said point also being on the Town Line between New Windsor and Cornwall;

THENCE along said presumed Town Line and over and through the lands of Howard O. Benedict, Deed Reference Liber 763, Page 499, North Eighty-Two Degrees, Twenty-One Minutes, Zero Seconds West, One Hundred Ninety-Nine and Sixty-Six Hundredths Feet (N 82°-21'-00" W, 199.66') to a set 5/8" iron rod;

THENCE continuing along said Town Line and over and through the lands of Howard O. Benedict, Deed Reference Liber 962, Page 350, North Eighty-Two Degrees, Twenty-One Minutes, Zero Seconds West, (N 82°-21'-00" W) passing over a set 5/8" iron rod near the southerly end of the Benedict pond at Three Hundred Eighty and Seventy Hundredths Feet (380.70') along the way for a total distance of Seven Hundred Seventeen and Thirty-Seven Hundredths Feet (717.37') to the top of a 1" o.d. iron pipe in concrete in a stone wall being the southeasterly corner of lands of Douglas C. Thorne, Deed Reference Liber 1438, Page 435, said iron pipe also being South Eighty-Five Degrees, Twenty-One Minutes, Thirty Seconds East, Sixty-Five and Sixty-One Hundredths Feet (S 85°-21'-30" E, 65.61') from a found 7/8" o.d. iron pipe in concrete on the line of lands of Thorne and said to be on the Town Line as well;

THENCE along the line of lands of Thorne for a portion of the way and along the line of lands of James and Karen Marie Bothwell, Jr., Deed Reference Liber 1983, Page 816 also being shown on a filed map in the Orange County Clerk's Office, filed on November 30, 1964 and designated as Map Number 6819;

NORTH Six Degrees, Thirty-Three Minutes, Forty-Five Seconds East, (N 06°-33'-45" E) generally following the line of a stone wall, Two Hundred Fifty-Eight and Forty-Nine Hundredths Feet (258.49') to a found 5/8" iron rod at a stone wall intersection;

LIBER 2626 PG 322

THENCE continuing along the line of lands of Bothwell, North Thirty-Seven Degrees, Forty-five Minutes, Fifty-Five Seconds West (N 37°-45'-55" W) generally following the line of a stone wall, One Hundred Fifty-Five and Thirty-Four Hundredths Feet (155.34') to a found 1" o.d. iron pipe in said stone wall;

THENCE along the line of lands of James C. and Anna D. Jensen, Deed Reference Liber 1956, Page 655, the following three (3) courses and distances, namely;

NORTH Thirty-Seven Degrees, Sixteen Minutes, Fifty Seconds West, (N 37°-16'-50" W) generally following a stone wall, One Hundred Eighty-Seven and Seventy Hundredths Feet (187.70');

NORTH Thirty-Eight Degrees, Twelve Minutes, Fifty-Five Seconds West, (N 38°-12'-55" W) generally following a stone wall, One Hundred Thirty-One and Sixty-One Hundredths Feet (131.61');

NORTH Forty Degrees, Zero Minutes, Five Seconds West, (N 40°-00'-05" W) generally following a stone wall and passing over a set 5/8" iron rod at One Hundred Twenty-Five and Four Hundredths Feet (125.04') along the way for a total distance of One Hundredths Sixty and Fifty-Three Hundredths Feet (160.53') to a point in the center line of Mount Airy Road as located in July of 1986;

THENCE along the presumed center line aforementioned, North Four Degrees, Seventeen Minutes, Ten Seconds East, One Hundred Sixty-Six and Seventy-Six Hundredths Feet (N 04°-17'-10" E, 166.76'), North One Degree, Twenty-Nine Minutes, Fifteen Seconds East, One Hundred Thirty and Eight Hundredths Feet (N 01°-29'-15" E, 130.08') and North One Degree, Fifty-One Minutes, Twenty-Five Seconds West, Fifty-three and Eighty-Two Hundredths Feet (N 01°-51'-25" W, 53.82') to the southwesterly corner of lands of Vernon H. and Florence L. Smith, Deed Reference Liber 1920, Page 1156;

THENCE along the line of lands of said Smith, the following five (5) courses and distances, all generally following a line of a stone wall;

SOUTH Seventy-One Degrees, Thirty-Two Minutes, Zero Seconds East, (S 71°-32'-00" E) passing over a set 5/8" iron rod on the easterly bounds of Mount Airy Road at Twenty-Five and Ninety-Two Hundredths Feet (25.92') along the way for a total distance of Ninety-Nine and Twelve Hundredths Feet (99.12');

SOUTH Seventy-Three Degrees, Thirty-Three Minutes, Fifty Five Seconds East, Seventy-Two and Thirty-One Hundredths Feet (S 73°-33'-55" E, 72.31');

SOUTH Seventy-Nine Degrees, Fourteen Minutes, Fifty Seconds East, Forty-Six and Sixty-Four Hundredths Feet (S 79°-14'-50" E, 46.64') to a found 1" o.d. iron pipe in a stone wall corner;

NORTH Zero Degrees, Seventeen Minutes, Forty Seconds East, Four Hundred Eleven and Sixteen Hundredths Feet (N 00°-17'-40" E, 411.16') to a set 5/8" iron rod in a corner of a stone wall;

SOUTH Seventy-Two Degrees, Ten Minutes, Thirty-Five Seconds West, (S 72°-10'-35" W) passing over a set 5/8" iron rod at Two Hundred Ten and Eighty-Two Hundredths Feet (210.82') along the way for a total distance of Two Hundred Thirty-Six and Fourteen Hundredths Feet (236.14') to a point in the center line of Mount Airy Road;

BER 2626 PG 323

IN PRESENCE OF b l 7 11 11. 11 11

THENCE along the center line of Mount Airy Road as located in July of 1986, the following ten (10) courses and distances, namely;

NORTH Four Degrees, Nine Minutes, Forty Seconds West, Ninety-Three and One Hundredths Feet (N 04°-09'-40" W, 93.01');

NORTH Six Degrees, Seven Minutes, Ten Seconds West, One Hundred Forty-Four and Seventy-Six Hundredths Feet (N 06°-07'-10" W, 144.76');

NORTH Seven Degrees, Nineteen Minutes, Twenty Seconds West, One Hundred Ninety-Two and Seven Hundredths Feet (N 07°-19'-20" W, 192.07');

NORTH Four Degrees, Twenty Minutes, Thirty Seconds West, Ninety and Fifty Hundredths Feet (N 04°-20'-30" W, 90.50');

NORTH One Degree, Zero Minutes, Fifty-Five Seconds East, Eighty-Four and Ninety-Three Hundredths Feet (N 01°-00'-55" E, 84.93');

NORTH Five Degrees, Forty-Five Minutes, Forty-Five Seconds East, Eighty-One and Seventy-Eight Hundredths Feet (N 05°-45'-45" E, 81.78');

NORTH Ten Degrees, Forty-Six Minutes, Twenty Seconds East, Eighty-Four and Eighty-Two Hundredths Feet (N 10°-46'-20" E, 84.82');

NORTH Twenty-One Degrees, Eighteen Minutes, Twenty Seconds East, Ninety-Three and Eighty Hundredths Feet (N 21°-18'-20" E, 93.80');

NORTH Twenty-Eight Degrees, Twelve Minutes, Five Seconds East, One Hundred Thirty-Seven and Three Hundredths Feet (N 28°-12'-05" E, 137.03');

NORTH Twenty-Nine Degrees, Thirty-Seven Minutes, Fifty-Five Seconds East, Three Hundred Eight and Twelve Hundredths Feet (N 29°-37'-55" E, 308.12') to the place of beginning.

CONTAINING 66.473 acres of land as surveyed by Mercurio-Norton-Tarolli, Land Surveying-Engineering, Corner of Main and Center Streets, Pine Bush, New York 12566. Bearings refer to magnetic north of August, 1986.

EXCEPTING from the above described 66.473 acre parcel ³ parcel now owned by New York Telephone Company as described in Liber 2004 of Deeds, Page 415 and more particularly bounded and described as follows:

BEGINNING at a found 4" X 4" concrete monument being the southeasterly corner of lands of said New York Telephone Company, said monument being North Eighty-Nine Degrees, Thirty-Five Minutes, Twenty-Five Seconds West, One Hundred Seven and Sixty Hundredths Feet (N 89°-35'-25" W, 107.60') from a set 5/8" iron rod, being the northwesterly corner of lands of Richard T. and Sharon J. Vanasco, Deed, Reference Liber 2022, Page 702;

THENCE from said place of beginning and along the line of lands of H. Franklin Benedict, the following four (4) courses and distances, namely;

NORTH Sixty-Two Degrees, Forty-Eight Minutes, Fifty Seconds West, One Hundred and Twenty-Two Hundredths Feet (N 62°-48'-50" W, 100.22') to a found 4" X 4" concrete monument, flush in the ground on the easterly side of Mount Airy Road;

LIBER 2626 PG 324

IN PRESENCE OF

NORTH Twenty-Seven Degrees, Eighteen Minutes, Forty Seconds East, (N 27°-18'-40" E) along the easterly side of Mt. Airy Road, One Hundred Fifty and Seven Hundredths Feet (150.07') to a found 4" X 4" concrete monument in a stone wall;

SOUTH Sixty-Two Degrees, Fifty-Two Minutes, Thirty Seconds East, Ninety-Nine and Seventy-One Hundredths Feet (S 62°-52'-30" E, 99.71') to a found 4" X 4" concrete monument at the base of an apple tree, 13" above grade;

SOUTH Twenty-Seven Degrees, Seven Minutes, Ten Seconds West, One Hundred Fifty and Eighteen Hundredths Feet (S 27°-07'-10" W, 150.18') to the place of beginning.

THIS EXCEPTION contains 0.344 acres of land, leaving the above described tract with a remaining 66.129 acres of land.

THE 66.129 acre parcel is subject to that land within the bounds of Mt. Airy Road and Dean Hill Road, for use as a public highway.

SUBJECT to a utility easement in favor of the American Telephone and Telegraph Company as described in Liber 681 of Deeds, Page 507.

SUBJECT to a right-of-way over and upon a private road leading from the westerly bounds of Graham to the New York State Route 94 as is described in Liber 1952, Page 358;

SUBJECT to an grants easements or rights-of-way of utility companies of record, if any.

THE ABOVE DESCRIBED 66.129 acres of land is intended to be portions of the following deed; the first a deed conveyed by Eva S. Benedict to Howard O. Benedict on July 2, 1945 and recorded in the Orange County Clerk's Office in Liber 962 of Deeds, Page 350 on July 3, 1945; the second being a portion of a deed conveyed by Lyman Abbott Gerow and Gilbert Westcott Gerow as executors of a will to Howard O. Benedict on March 12, 1937 and recorded in the Orange County Clerk's Office in Liber 779 of Deeds, Page 558 on March 19, 1937; the third being a portion of lands conveyed by Edward P. Runyon to Howard O. Benedict on October 24, 1935 and recorded in the Orange County Clerk's Office in Liber 763 of Deeds, Page 499; the fourth being all the land contained in a deed conveyed by Lyman Abbott Gerow and Gilbert Westcott Gerow as executors of a will to Howard O. Benedict and filed in the Orange County Clerk's Office on July 29, 1937 in Liber 784 of Deeds, Page 49 and the last deed being a portion of lands conveyed on April 4, 1970 from Eva B. Benedict to H. Franklin Benedict and filed in the Orange County Clerk's Office in Liber 1887 of Deeds, Page 971 on October 18, 1971.

LIBER 2626 PG 325

-7-

IN PRESENCE OF

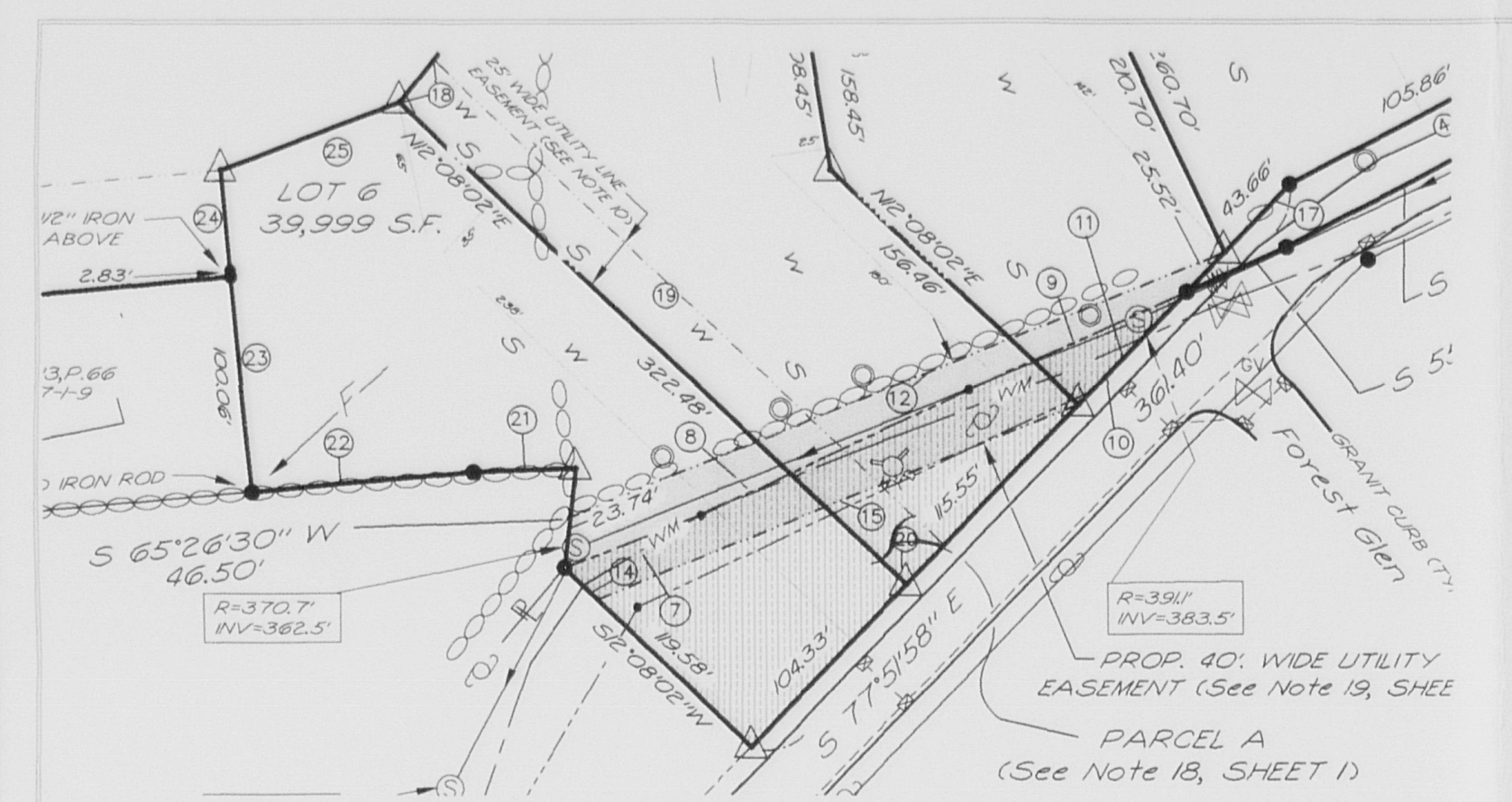
W. M. B. et al

Zoning Legend (R-3) Suburban Residential

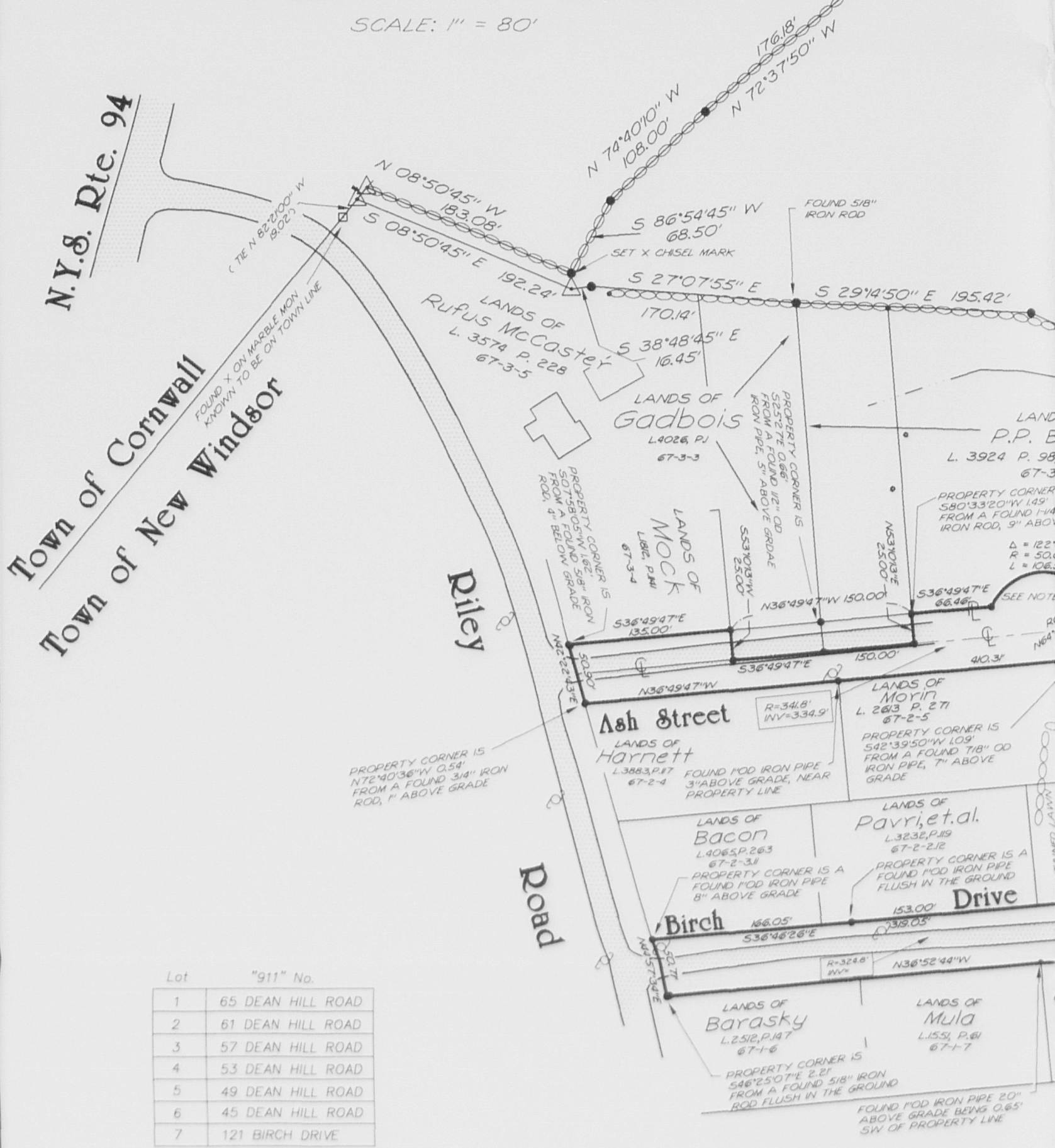
MIN LOT AREA	35,670 S.F.
MIN LOT WIDTH	100'
REG. FRONT YARD DEPTH	35'
REG. SIDE YARD TOTAL BOTH SIDES	15' / 30'
REG. REAR YARD DEPTH	40'
REG. STREET FRONTAGE	80'
MAX BLD. HEIGHT	35'
MIN LIVABLE FLOOR AREA	1,000 S.F.
DEVELOPMENT COVERAGE	15%

Legend

PROPERTY LINE & CORNER SET 5/8" IRON ROD AT PROPERTY CORNER	UTILITY LINE AND POLE ADJOINERS PROPERTY LINE
LIBER OF DEEDS, PAGE TAX MAP DESIGNATION	STONE WALL



Parcel A Detail



Area Totals

TOTAL LOTS	338,418 S.F.	7.769 ACRES
ROAD PARCELS (#1, #2)	10,466 S.F.	0.240 ACRES
TOTAL AREA	348,884 S.F.	8.009 ACRES

LOT	"SIT" NO.
1	65 DEAN HILL ROAD
2	61 DEAN HILL ROAD
3	57 DEAN HILL ROAD
4	53 DEAN HILL ROAD
5	49 DEAN HILL ROAD
6	45 DEAN HILL ROAD
7	121 BIRCH DRIVE

REVISIONS	DATE	DESCRIPTION	BY
1	5-16-02	HEALTH DEPT. COMMENTS	JIT
2	5-27-02	"SIT" NUMBERS	JIT
3	6-14-02	HEALTH DEPT. COMMENTS	JIT
4	12-16-01	ENGINEER'S COMMENTS	JIT
5	10-24-01	DEAN HILL RD FINAL TORD	NGN
6	2-21-01	7 LOT LAYOUT	JIT
7	8-99	DEAN HILL ROAD RELOCATION	NGN
8	11-16-99	LOTS, ASH & BIRCH ST. TITLE	JIT
9	11-16-99	GENERAL UPDATE	JIT

HEALTH DEPT. APPROVAL

Prepared by:
ALBERTO NORTON-TAROLLI
Land Surveying Engineering P.E.

Owner's Endorsement

I HAVE REVIEWED THIS PLAN AND I HEREBY GRANT MY APPROVAL OF THE PLAN AND HEREBY CONSENT TO ITS FILING WITH THE ORANGE COUNTY CLERK'S OFFICE.

OWNER'S SIGNATURE _____ TITLE _____
THIS PLANS ARE INVALID UNLESS BOTH SHEETS 1 & 2 ARE PART OF THE PLANS

LOTS 1-7 ARE SERVED BY PUBLIC WATER & SEWER.

I HEREBY CERTIFY TO S.D.L. DEVELOPMENT CORP. THAT THIS MAP IS THE RESULT OF AN ACTUAL FIELD SURVEY COMPLETED BY MERCURIO-NORTON-TAROLLI LAND SURVEYING - ENGINEERING, P.C. ON NOVEMBER 15, 2001.

M. Tave

JOHN TAVOLLI

L.S.# 49201

OK, LOTS 8 & 9 - G.A. MAP BY NORTON, LOT 8 & 9 - G.A.

JOB # 134, SHEET 1 OF 2

Survey & Subdivision Map Benedict Pond Estates II

7 LOTS
Record Owner: S.D.L. DEVELOPMENT CORP.
c/o Fred Lary, P.O. Box 2227, Huntington, NY 11743

TAX MAP REFERENCES: 65-1-512, 56-2
DEED REFERENCE:

Situate in the Town of New Windsor
Orange County, New York State
Scale 1" = 100' Oct. 1992

Notes:

- TOWN LINE SHOWN IS DERIVED FROM EVIDENCE RECOVERED IN THE FIELD AND INFORMATION FOUND ON FILED MAP # 889.
- SUBJECT TO ANY FACTS AN ACCURATE, UP TO DATE TITLE ABSTRACT MAY REVEAL.
- SUBJECT TO THAT LAND WITHIN THE BOUNDS OF DEAN HILL ROAD, ROAD FOR USE AS A PUBLIC HIGHWAY.
- SUBJECT TO A UTILITY EASEMENT IN FAVOR OF THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY AS DESCRIBED IN LIBER 68 OF DEEDS, PAGE 507.
- SUBJECT TO A RIGHTS OF WAY OVER AND UPON PRIVATE ROADS KNOWN AS ASH STREET AND BIRCH STREET IN FAVOR OF LOTS ALONG SAID ROADS.
- SUBJECT TO ANY GRANTS, EASEMENTS OR RIGHTS OF WAY OF UTILITY COMPANIES, OF RECORD, IF ANY.
- CONTOUR LINES SHOWN SOUTHERLY OF OLD DEAN HILL ROAD HAVE BEEN DIGITIZED FROM A MAP SUPPLIED BY OTHERS THAT WAS PREPARED FROM AERIAL PHOTOGRAMETRIC METHODS.
- SUBJECT RIGHTS OVER THAT PORTION OF LAND, IF ANY, UTILIZED BY A 50' RADIUS CUL-DE-SAC AND ROAD AS MENTIONED IN LIBER 3924 OF DEEDS, PAGE 93.
- ELEVATIONS SHOWN ON MANHOLES ARE ACTUAL MEASUREMENTS, UNLESS NOTED AS * IN WHICH CASE THE INVERT ELEVATIONS WERE CALCULATED FROM PROFILES ON A BUILT DRAWINGS. VERTICAL DATUM WAS ASSUMED FROM THE RIM ELEVATION OF FORCE MAIN MANHOLE #5 ON THE AS BUILT DRAWINGS.
- LOT 5 IS SUBJECT TO A 25' WIDE SANITARY SEWER & WATER SERVICE EASEMENT, FOR INSTALLATION AND MAINTENANCE, IN FAVOR OF LOT 7.
- LOTS 1 - 5, 7 HAVE THE RIGHT TO USE THE WATERS OF BENEDICT'S POND IN COMMON WITH OTHERS, AS DESCRIBED IN LIBER 3879 OF DEEDS, PAGE 85.
- A 10' WIDE EASEMENT IS RESERVED AROUND THE FRONT AND SIDE BOUNDARY OF EACH LOT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF UTILITIES.
- PIPE CULVERTS UNDER PROPOSED DRIVEWAYS SHALL BE 15" ADS-12 PIPE.
- THE MAXIMUM ALLOWABLE DRIVEWAY SLOPE IS 10%, THE SLOPE FROM THE EDGE OF DEAN ROAD PAVEMENT TO THE R.O.W. LINE SHALL BE A NEGATIVE 1% PER FOOT (MAX.).
- ALL BASEMENTS, ROOF AND FOOTING DRAINS SHALL DRAIN TO DAYLIGHT WITH APPROPRIATE PIPE, CONNECTION OF THESE DRAINS, INCLUDING SUMP PUMPS, TO THE SANITARY SEWER SYSTEM IS STRICTLY PROHIBITED.
- LOWEST SEVERABLE ELEVATIONS SHOWN ARE FOR THE PROPOSED HOUSE LOCATIONS. ANY RELOCATION OF THE HOUSE WILL REQUIRE AN ADJUSTMENT OF THIS ELEVATION BY 2.0% OF THE CHANGE IN THE LATERAL LENGTH.
- LOTS 1-7 ARE SERVED BY WATER DISTRICT NO. 13 & SEWER DISTRICT NO. 13.
- PARCEL A (0.39 AC.) SHALL BE CONVEYED BY THE TOWN OF NEW WINDSOR TO S.D.L. DEVELOPMENT CORP. INCLUDING ALL RIGHTS INTEREST & TITLE TO THE CENTER OF OLD DEAN HILL ROAD.
- A 20' WIDE UTILITY EASEMENT IS RESERVED FOR DEDICATION TO THE TOWN OF NEW WINDSOR. THIS UTILITY EASEMENT AFFECTS LOTS 4, 5, AND 6 AND IS INTENDED FOR OPERATION AND MAINTENANCE OF EX. WATER AND SANITARY SEWER MAINS AND APPURTENANCES.
- ROAD DEDICATION PARCELS 1 & 2, AS WELL AS THE 40' WIDE UTILITY EASEMENT ARE IRREVOCABLY OFFERED TO THE TOWN OF NEW WINDSOR.
- NO LOTS SHALL BE FURTHER SUBDIVIDED WITHOUT ORANGE COUNTY DEPT. OF HEALTH REVIEW AND APPROVAL.
- THE DESIGN AND LOCATION OF SANITARY FACILITIES (WATER & SEWER) SHALL NOT BE CHANGED.
- THE PURCHASER OF A LOT SHALL BE PROVIDED WITH A COPY OF THE APPROVED PLANS AND AN ACCURATE AS-BUILT DRAWING OF ANY EXISTING SANITARY FACILITIES.
- ORANGE COUNTY DEPARTMENT OF HEALTH PLAN APPROVAL IS LIMITED TO 5 YEARS. TIME EXTENSIONS FOR PLAN APPROVAL MAY BE GRANTED BY THE ORANGE COUNTY DEPARTMENT OF HEALTH BASED UPON DEVELOPMENT FACTS AND THE REALTY SUBDIVISION REGULATIONS IN EFFECT AT THAT TIME. A NEW PLAN SUBMISSION MAY BE REQUIRED TO OBTAIN A TIME EXTENSION.
- THE APPROVED PLANS MUST BE FILED WITH THE ORANGE COUNTY CLERK'S OFFICE PRIOR TO OFFERING LOTS FOR SALE AND WITHIN 90 DAYS OF THE LAST APPROVAL OF FINAL PLANS.

For From Review

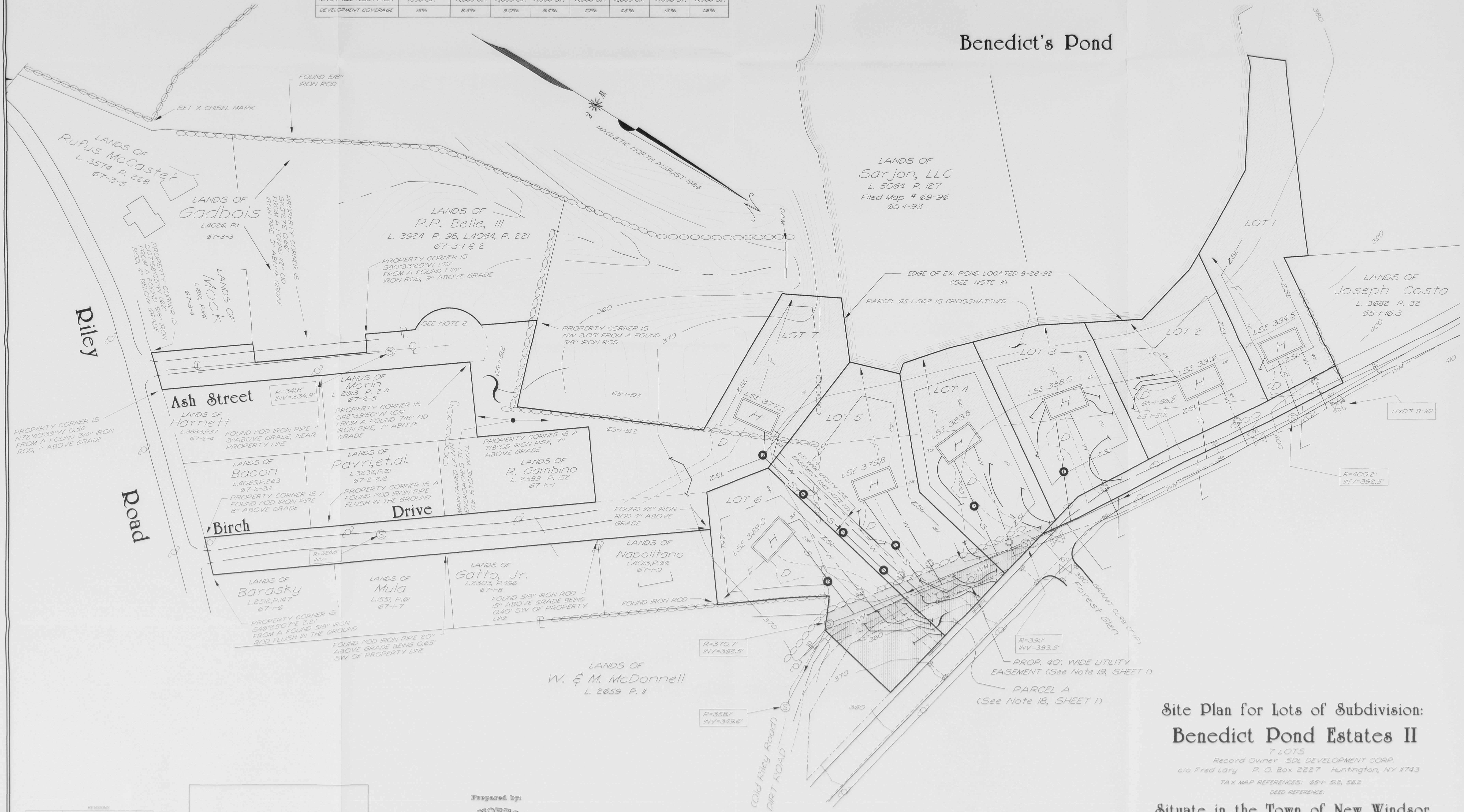
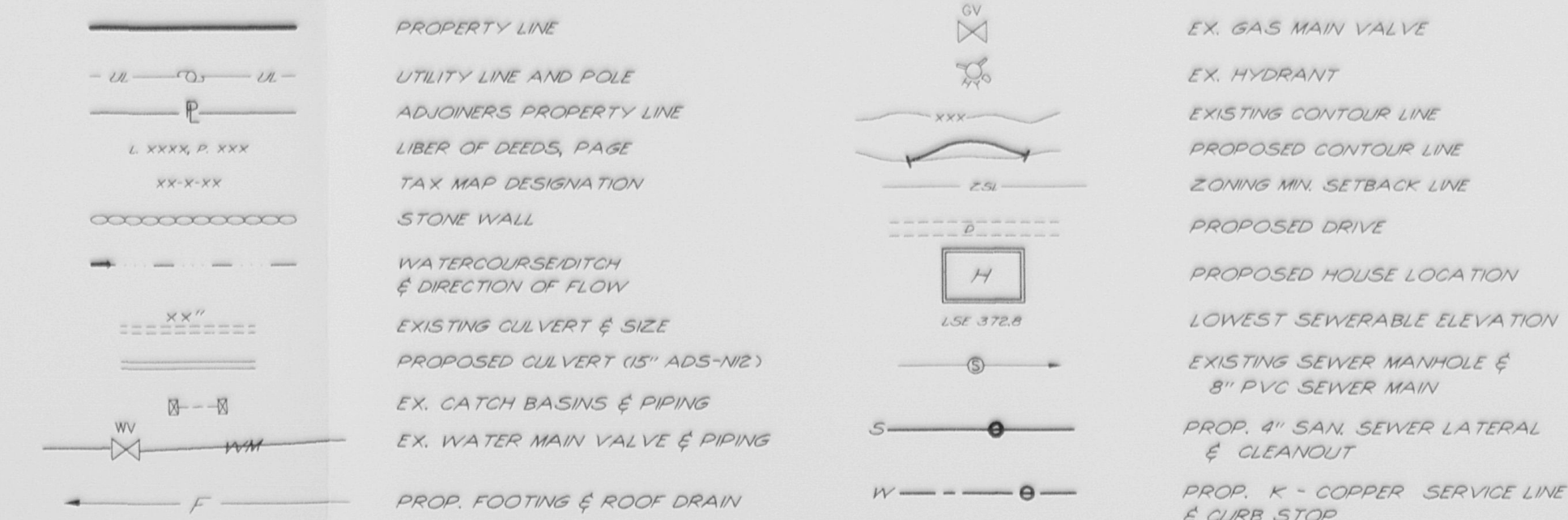
OK need to verify Town Covenances easement of Cuth. Cuth

8/1/02

Zoning Legend (R-3) Suburban Residential

	Required	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7
MIN LOT AREA	32,670 S.F.	33,578 S.F.	33,350 S.F.	33,647 S.F.	35,737 S.F.	48,398 S.F.	39,999 S.F.	107,709 S.F.
MIN LOT AREA (Net)	32,670 S.F.	33,578 S.F.	33,350 S.F.	33,647 S.F.	35,737 S.F.	48,398 S.F.	39,999 S.F.	54,750 S.F.
MIN LOT WIDTH	100'	100.0'	175'	145'	10'	15'	104'	106'
FRONT YARD DEPTH	35'	40'	45'	100'	142'	180'	238'	7500'
SIDE YARD / TOTAL BOTH YARDS	15' / 30'	20' / 45'	44' / 121'	40' / 88'	30' / 73'	25' / 75'	35' / 83'	23' / 46'
REAR YARD DEPTH	40'	42'	95'	83'	100'	120'	65'	15'
STREET FRONTAGE	80'	100.13'	153.2'	149.52'	97.86'	15.55'	104.33'	101.67'
MAX. BLD. HEIGHT	35'	<35'	<35'	<35'	<35'	<35'	<35'	<35'
MIN LIVABLE FLOOR AREA	1,000 S.F.	71,000 S.F.	71,000 S.F.	71,000 S.F.	71,000 S.F.	71,000 S.F.	71,000 S.F.	71,000 S.F.
DEVELOPMENT COVERAGE	15%	8.5%	9.0%	9.4%	10%	15.5%	13%	16%

Legend



Site Plan for Lots of Subdivision: Benedict Pond Estates II

7 LOTS
Record Owner: SDL DEVELOPMENT CORP.
c/o Fred Lary P. O. Box 2227 Huntington, NY 11743
TAX MAP REFERENCES: 65-1-512, 56.2
DEED REFERENCE:

Situate in the Town of New Windsor
Orange County, New York State
Scale 1"= 50' November 2001

NO.	DATE	DESCRIPTION	BY
1	5-16-02	HEALTH DEPT. COMMENTS	JT
2	2-11-02	FOOTING DRAINS	JT

Prepared by:
MERCURIO-NORTON-TAROLLI
Land Surveying-Engineering P.E.
P.O. BOX 166
75 MAIN STREET
PINE BUSH, N.Y. 12566
TEL: 914-744-3480
FAX: 914-744-3805

THIS PLANS ARE INVALID UNLESS BOTH SHEETS 1 & 2 ARE PART OF THE PLANS

J. T. Tavel
JOHN TAROLLI PE # 58875